

103^D CONGRESS
2^D SESSION

H. R. 4426

IN THE SENATE OF THE UNITED STATES

JUNE 8 (legislative day, JUNE 7), 1994

Received; read twice and referred to the Committee on Appropriations

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for for-
5 eign operations, export financing, and related programs
6 for the fiscal year ending September 30, 1995, and for
7 other purposes, namely:

1 TITLE I—MULTILATERAL ECONOMIC
2 ASSISTANCE

3 FUNDS APPROPRIATED TO THE PRESIDENT
4 INTERNATIONAL FINANCIAL INSTITUTIONS
5 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
6 RECONSTRUCTION AND DEVELOPMENT

7 For payment to the International Bank for Recon-
8 struction and Development by the Secretary of the Treas-
9 ury, for the United States share of the paid-in share por-
10 tion of the increases in capital stock for the General Cap-
11 ital Increase, \$23,009,101, to remain available until ex-
12 pended.

13 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

14 The United States Governor of the International
15 Bank for Reconstruction and Development may subscribe
16 without fiscal year limitation to the callable capital portion
17 of the United States share of increases in capital stock
18 in an amount not to exceed \$743,923,914.

19 For payment to the International Bank for Recon-
20 struction and Development by the Secretary of the Treas-
21 ury, for the United States contribution to the Global Envi-
22 ronment Facility (GEF), \$88,800,000, to remain available
23 until expended.

1 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
2 ASSOCIATION

3 For payment to the International Development Asso-
4 ciation by the Secretary of the Treasury, \$1,235,000,000,
5 for the United States contribution to the replenishment,
6 to remain available until expended.

7 CONTRIBUTION TO THE INTERNATIONAL FINANCE
8 CORPORATION

9 For payment to the International Finance Corpora-
10 tion by the Secretary of the Treasury, \$68,743,028, for
11 the United States share of the increase in subscriptions
12 to capital stock, to remain available until expended: *Pro-*
13 *vided*, That of the amount appropriated under this head-
14 ing not more than \$5,364,000 may be expended for the
15 purchase of such stock in fiscal year 1995.

16 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
17 BANK

18 For payment to the Inter-American Development
19 Bank by the Secretary of the Treasury, for the United
20 States share of the paid-in share portion of the increase
21 in capital stock, \$28,111,959, and for the United States
22 share of the increases in the resources of the Fund for
23 Special Operations, \$21,338,000, and for the United
24 States share of the capital stock of the Inter-American In-
25 vestment Corporation, \$190,000, to remain available until
26 expended: *Provided*, That \$25,269,224 of the amount

1 made available for the paid-in share portion of the in-
2 crease in capital stock, and \$20,317,000 of the resources
3 of the Fund for Special Operations shall be subject to the
4 regular notification procedures of the Committees on Ap-
5 propriations.

6 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

7 The United States Governor of the Inter-American
8 Development Bank may subscribe without fiscal year limi-
9 tation to the callable capital portion of the United States
10 share of such capital stock in an amount not to exceed
11 \$1,594,568,180.

12 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS

13 MULTILATERAL INVESTMENT FUND

14 For payment to the Enterprise for the Americas Mul-
15 tilateral Investment Fund by the Secretary of the Treas-
16 ury, for the United States contribution to the Fund to
17 be administered by the Inter-American Development
18 Bank, \$75,000,000 to remain available until expended.

19 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

20 For the United States contribution by the Secretary
21 of the Treasury to the increases in resources of the Asian
22 Development Fund, as authorized by the Asian Devel-
23 opment Bank Act, as amended (Public Law 89-369),
24 \$167,960,000, to remain available until expended.

1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

2 For payment to the African Development Fund by
3 the Secretary of the Treasury, \$124,229,309, for the
4 United States contribution to the African Development
5 Fund, to remain available until expended: *Provided*, That
6 of the funds appropriated under this heading,
7 \$20,000,000 shall be subject to the regular notification
8 procedures of the Committees on Appropriations.

9 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

10 For payment to the African Development Bank by
11 the Secretary of the Treasury, for the paid-in share por-
12 tion of the United States share of the increase in capital
13 stock, \$133,000, to remain available until expended.

14 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

15 The United States Governor of the African Develop-
16 ment Bank may subscribe without fiscal year limitation
17 to the callable capital portion of the United States share
18 of such capital stock in an amount not to exceed
19 \$2,002,540.

20 CONTRIBUTION TO THE EUROPEAN BANK FOR

21 RECONSTRUCTION AND DEVELOPMENT

22 For payment to the European Bank for Reconstruct-
23 tion and Development by the Secretary of the Treasury,
24 \$69,180,353, for the United States share of the paid-in
25 share portion of the initial capital subscription, to remain
26 available until expended: *Provided*, That during fiscal year

1 1995 the number of shares of stock purchased shall be
2 not more than 600.

3 LIMITATION OF CALLABLE CAPITAL SUBSCRIPTIONS

4 The United States Governor of the European Bank
5 for Reconstruction and Development may subscribe with-
6 out fiscal year limitation to the callable capital portion of
7 the United States share of such capital stock in an amount
8 not to exceed \$161,420,824.

9 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

10 For necessary expenses to carry out the provisions
11 of section 301 of the Foreign Assistance Act of 1961, and
12 of section 2 of the United Nations Environment Program
13 Participation Act of 1973, \$366,000,000: *Provided*, That
14 none of the funds appropriated under this heading shall
15 be made available for the United Nations Fund for
16 Science and Technology: *Provided further*, That funds ap-
17 propriated under this heading may be made available for
18 the International Atomic Energy Agency only if the Sec-
19 retary of State determines (and so reports to the Con-
20 gress) that Israel is not being denied its right to partici-
21 pate in the activities of that Agency: *Provided further*,
22 That of the funds appropriated under this heading that
23 are made available for the United Nations Children's
24 Fund (UNICEF), 75 per centum shall be obligated and
25 expended no later than thirty days after the date of enact-
26 ment of this Act and 25 per centum shall be expended

1 within thirty days from the start of UNICEF's fourth
2 quarter of operations for 1995: *Provided further*, That
3 none of the funds appropriated under this heading that
4 are made available to the United Nations Population Fund
5 (UNFPA) shall be made available for activities in the Peo-
6 ple's Republic of China: *Provided further*, That not more
7 than \$40,000,000 of the funds appropriated under this
8 heading may be made available to the UNFPA: *Provided*
9 *further*, That not more than one-half of this amount may
10 be provided to UNFPA before March 1, 1995, and that
11 no later than February 15, 1995, the Secretary of State
12 shall submit a report to the Committees on Appropriations
13 indicating the amount UNFPA is budgeting for the Peo-
14 ple's Republic of China in 1995: *Provided further*, That
15 any amount UNFPA plans to spend in the People's Re-
16 public of China in 1995 above \$7,000,000, shall be de-
17 ducted from the amount of funds provided to UNFPA
18 after March 1, 1995 pursuant to the previous provisos:
19 *Provided further*, That with respect to any funds appro-
20 priated under this heading that are made available to
21 UNFPA, UNFPA shall be required to maintain such
22 funds in a separate account and not commingle them with
23 any other funds: *Provided further*, That notwithstanding
24 the fifth proviso of this heading, if UNFPA decides not
25 to initiate a new program in China after its current pro-

1 gram ends in 1995, up to an additional \$20,000,000 of
2 funds appropriated under this heading may be made avail-
3 able to UNFPA.

4 TITLE II—BILATERAL ECONOMIC ASSISTANCE

5 FUNDS APPROPRIATED TO THE PRESIDENT

6 For expenses necessary to enable the President to
7 carry out the provisions of the Foreign Assistance Act of
8 1961, and for other purposes, to remain available until
9 September 30, 1995, unless otherwise specified herein, as
10 follows:

11 AGENCY FOR INTERNATIONAL DEVELOPMENT

12 DEVELOPMENT ASSISTANCE FUND

13 For necessary expenses to carry out the provisions
14 of sections 103 through 106 of the Foreign Assistance Act
15 of 1961, \$811,000,000, to remain available until Septem-
16 ber 30, 1996.

17 POPULATION, DEVELOPMENT ASSISTANCE

18 For necessary expenses to carry out the provisions
19 of section 104(b), \$450,000,000, to remain available until
20 September 30, 1996: *Provided*, That none of the funds
21 made available in this Act nor any unobligated balances
22 from prior appropriations may be made available to any
23 organization or program which, as determined by the
24 President of the United States, supports or participates
25 in the management of a program of coercive abortion or
26 involuntary sterilization: *Provided further*, That none of

1 the funds made available under this heading may be used
2 to pay for the performance of abortion as a method of
3 family planning or to motivate or coerce any person to
4 practice abortions; and that in order to reduce reliance
5 on abortion in developing nations, funds shall be available
6 only to voluntary family planning projects which offer, ei-
7 ther directly or through referral to, or information about
8 access to, a broad range of family planning methods and
9 services: *Provided further*, That in awarding grants for
10 natural family planning under section 104 of the Foreign
11 Assistance Act of 1961 no applicant shall be discriminated
12 against because of such applicant's religious or conscien-
13 tious commitment to offer only natural family planning;
14 and, additionally, all such applicants shall comply with the
15 requirements of the previous proviso: *Provided further*,
16 That nothing in this subsection shall be construed to alter
17 any existing statutory prohibitions against abortion under
18 section 104 of the Foreign Assistance Act of 1961.

19 DEVELOPMENT FUND FOR AFRICA

20 For necessary expenses to carry out the provisions
21 of chapter 10 of part I of the Foreign Assistance Act of
22 1961, \$790,000,000, to remain available until September
23 30, 1996: *Provided*, That none of the funds appropriated
24 by this Act to carry out chapters 1 and 10 of part I of
25 the Foreign Assistance Act of 1961 shall be transferred
26 to the Government of Zaire: *Provided further*, That funds

1 appropriated under this heading which are made available
2 for activities supported by the Southern Africa Develop-
3 ment Community shall be made available notwithstanding
4 section 512 of this Act and section 620(q) of the Foreign
5 Assistance Act of 1961.

6 PRIVATE AND VOLUNTARY ORGANIZATIONS

7 None of the funds appropriated or otherwise made
8 available by this Act for development assistance may be
9 made available to any United States private and voluntary
10 organization, except any cooperative development organi-
11 zation, which obtains less than 20 per centum of its total
12 annual funding for international activities from sources
13 other than the United States Government: *Provided*, That
14 the requirements of the provisions of section 123(g) of the
15 Foreign Assistance Act of 1961 and the provisions on pri-
16 vate and voluntary organizations in title II of the “Foreign
17 Assistance and Related Programs Appropriations Act,
18 1985” (as enacted in Public Law 98–473) shall be super-
19 seded by the provisions of this section.

20 INTERNATIONAL DISASTER ASSISTANCE

21 For necessary expenses for international disaster re-
22 lief, rehabilitation, and reconstruction assistance pursuant
23 to section 491 of the Foreign Assistance Act of 1961, as
24 amended, \$169,998,000 to remain available until ex-
25 pended.

1 DEBT RESTRUCTURING

2 For the cost, as defined in section 13201 of the
3 Budget Enforcement Act of 1990, of modifying direct
4 loans and loan guarantees, as the President may deter-
5 mine, for which funds have been appropriated or otherwise
6 made available for programs within the International Af-
7 fairs Budget Function 150, \$7,000,000, to remain
8 available until expended: *Provided*, That it is the sense of
9 the Congress that a program should be developed to un-
10 dertake direct buy backs of bilateral debt from eligible
11 poor and lower-middle income countries with local cur-
12 rency offsets to fund development and environmental ac-
13 tivities, provided that such a program would have no budg-
14 etary impact. The Administration should consider how cre-
15 ative use of the sale of impaired Third World debts might
16 be used to lower debt overhangs and generate local cur-
17 rencies for development and environmental activities.

18 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM

19 ACCOUNT

20 For the subsidy cost of direct loans and loan guaran-
21 tees, \$1,500,000, as authorized by section 108 of the For-
22 eign Assistance Act of 1961, as amended: *Provided*, That
23 such costs shall be as defined in section 502 of the Con-
24 gressional Budget Act of 1974. In addition, for adminis-
25 trative expenses to carry out programs under this heading,
26 \$500,000, all of which may be transferred to and merged

1 with the appropriation for Operating Expenses of the
2 Agency for International Development.

3 HOUSING GUARANTY PROGRAM ACCOUNT

4 For the subsidy cost, as defined in section 13201 of
5 the Budget Enforcement Act of 1990, of guaranteed loans
6 authorized by sections 221 and 222 of the Foreign Assist-
7 ance Act of 1961, \$19,300,000: *Provided*, That these
8 funds are available to subsidize loan principal, 100 percent
9 of which shall be guaranteed, pursuant to the authority
10 of such sections: *Provided further*, That the President shall
11 enter into commitments to guarantee such loans in the
12 full amount provided under this heading, subject to the
13 availability of qualified applicants for such guarantees. In
14 addition, for administrative expenses to carry out guaran-
15 teed loan programs, \$8,000,000, all of which may be
16 transferred to and merged with the appropriation for Op-
17 erating Expenses of the Agency for International Develop-
18 ment: *Provided further*, That commitments to guarantee
19 loans under this heading may be entered into notwith-
20 standing the second and third sentences of section 222(a)
21 and, with regard to programs for Eastern Europe and pro-
22 grams for the benefit of South Africans disadvantaged by
23 apartheid, section 223(j) of the Foreign Assistance Act of
24 1961: *Provided further*, That none of the funds appro-
25 priated under this heading shall be obligated except

1 through the regular notification procedures of the Com-
2 mittees on Appropriations.

3 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
4 DISABILITY FUND

5 For payment to the “Foreign Service Retirement and
6 Disability Fund”, as authorized by the Foreign Service
7 Act of 1980, \$45,118,000.

8 OPERATING EXPENSES OF THE AGENCY FOR
9 INTERNATIONAL DEVELOPMENT

10 For necessary expenses to carry out the provisions
11 of section 667, \$517,500,000: *Provided*, That of this
12 amount not more than \$900,000 may be made available
13 to pay for printing costs.

14 OPERATING EXPENSES OF THE AGENCY FOR INTER-
15 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR
16 GENERAL

17 For necessary expenses to carry out the provisions
18 of section 667, \$39,118,000, which sum shall be available
19 for the Office of the Inspector General of the Agency for
20 International Development.

21 ECONOMIC SUPPORT FUND

22 For necessary expenses to carry out the provisions
23 of chapter 4 of part II, \$2,339,000,000, to remain avail-
24 able until September 30, 1996: *Provided*, That any funds
25 appropriated under this heading that are made available
26 for Israel shall be made available on a grant basis as a

1 cash transfer and shall be disbursed within thirty days of
2 enactment of this Act or by October 31, 1994, whichever
3 is later: *Provided further*, That any funds appropriated
4 under this heading that are made available for Egypt shall
5 be provided on a grant basis, of which sum cash transfer
6 assistance may be provided with the understanding that
7 Egypt will undertake significant economic reforms which
8 are additional to those which were undertaken in previous
9 fiscal years: *Provided further*, That in exercising the au-
10 thority to provide cash transfer assistance for Israel and
11 Egypt, the President shall ensure that the level of such
12 assistance does not cause an adverse impact on the total
13 level of nonmilitary exports from the United States to each
14 such country: *Provided further*, That it is the sense of the
15 Congress that the recommended levels of assistance for
16 Egypt and Israel are based in great measure upon their
17 continued participation in the Camp David Accords and
18 upon the Egyptian-Israeli peace treaty: *Provided further*,
19 That none of the funds appropriated under this heading
20 shall be made available for Zaire.

21 INTERNATIONAL FUND FOR IRELAND

22 For necessary expenses to carry out the provisions
23 of part I of the Foreign Assistance Act of 1961, up to
24 \$19,600,000, which shall be available for the United
25 States contribution to the International Fund for Ireland
26 and shall be made available in accordance with the provi-

1 sions of the Anglo-Irish Agreement Support Act of 1986
2 (Public Law 99–415): *Provided*, That such amount shall
3 be expended at the minimum rate necessary to make time-
4 ly payment for projects and activities: *Provided further*,
5 That funds made available under this heading shall re-
6 main available until expended.

7 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
8 STATES

9 (a) For necessary expenses to carry out the provisions
10 of the Foreign Assistance Act of 1961 and the Support
11 for East European Democracy (SEED) Act of 1989,
12 \$360,000,000, to remain available until expended, which
13 shall be available, notwithstanding any other provision of
14 law, for economic assistance for Eastern Europe and the
15 Baltic States.

16 (b) Funds appropriated under this heading or in prior
17 appropriations Acts that are or have been made available
18 for an Enterprise Fund may be deposited by such Fund
19 in interest-bearing accounts prior to the Fund's disburse-
20 ment of such funds for program purposes. The Fund may
21 retain for such program purposes any interest earned on
22 such deposits without returning such interest to the Treas-
23 ury of the United States and without further appropria-
24 tion by the Congress. Funds made available for Enterprise
25 Funds shall be expended at the minimum rate necessary
26 to make timely payment for projects and activities.

1 (c) Funds appropriated under this heading shall be
2 considered to be economic assistance under the Foreign
3 Assistance Act of 1961 for purposes of making available
4 the administrative authorities contained in that Act for
5 the use of economic assistance.

6 ASSISTANCE FOR THE NEW INDEPENDENT STATES OF
7 THE FORMER SOVIET UNION

8 (a) For necessary expenses to carry out the provisions
9 of chapter 11 of part I of the Foreign Assistance Act of
10 1961 and the FREEDOM Support Act, for assistance for
11 the new independent states of the former Soviet Union
12 and for related programs, \$875,500,000, to remain avail-
13 able until expended: *Provided*, That the provisions of
14 498B(j) of the Foreign Assistance Act of 1961 shall apply
15 to funds appropriated by this paragraph.

16 (b) None of the funds appropriated under this head-
17 ing shall be transferred to the Government of Russia—

18 (1) unless that Government is making progress
19 in implementing comprehensive economic reforms
20 based on market principles, private ownership, nego-
21 tiating repayment of commercial debt, respect for
22 commercial contracts, and equitable treatment of
23 foreign private investment; and

24 (2) if that Government applies or transfers
25 United States assistance to any entity for the pur-

1 pose of expropriating or seizing ownership or control
2 of assets, investments, or ventures.

3 (c) Funds may be furnished without regard to sub-
4 section (b) if the President determines that to do so is
5 in the national interest.

6 (d) None of the funds appropriated under this head-
7 ing shall be made available to any government of the new
8 independent states of the former Soviet Union if that gov-
9 ernment directs any action in violation of the territorial
10 integrity or national sovereignty of any other new inde-
11 pendent state, such as those violations included in Prin-
12 ciple Six of the Helsinki Final Act: *Provided*, That such
13 funds may be made available without regard to the restric-
14 tion in this subsection if the President determines that
15 to do so is in the national interest of the United States:
16 *Provided further*, That the restriction of this subsection
17 shall not apply to the use of such funds for the provision
18 of assistance for purposes of humanitarian, disaster and
19 refugee relief: *Provided further*, That thirty days after the
20 date of enactment of this Act, and then annually there-
21 after, the Secretary of State shall report to the Commit-
22 tees on Appropriations on steps taken by the governments
23 of the new independent states concerning violations re-
24 ferred to in this subsection: *Provided further*, That in pre-
25 paring this report the Secretary shall consult with the

1 United States Representative to the Conference on Secu-
2 rity and Cooperation in Europe.

3 (e) None of the funds appropriated under this head-
4 ing for the new independent states of the former Soviet
5 Union shall be made available for any state to enhance
6 its military capability: *Provided*, That this restriction does
7 not apply to demilitarization, defense conversion or non-
8 proliferation programs, or programs to support troop
9 withdrawal including through the support of an officer re-
10 settlement program, and technical assistance for the hous-
11 ing sector.

12 (f) Funds appropriated under this heading shall be
13 subject to the regular reprogramming procedures of the
14 Committees on Appropriations.

15 (g) Funds appropriated under this heading may be
16 made available for assistance for Mongolia.

17 (h) Funds made available in this Act for assistance
18 to the new independent states of the former Soviet Union
19 shall be provided to the maximum extent feasible through
20 the private sector, including private voluntary organiza-
21 tions and nongovernmental organizations functioning in
22 the new independent states.

INDEPENDENT AGENCIES

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out the provisions of title V of the International Security and Development Cooperation Act of 1980, Public Law 96-533, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104, title 31, United States Code, \$16,905,000: *Provided*, That, when, with the permission of the President of the Foundation, funds made available to a grantee under this heading are invested pending disbursement, the resulting interest is not required to be deposited in the United States Treasury if the grantee uses the resulting interest for the purpose for which the grant was made: *Provided further*, That this provision applies with respect to both interest earned before and interest earned after the enactment of this provision: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the dollar limitation contained in that section with respect to a project: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

1 INTER-AMERICAN FOUNDATION

2 For expenses necessary to carry out the functions of
3 the Inter-American Foundation in accordance with the
4 provisions of section 401 of the Foreign Assistance Act
5 of 1969, and to make such contracts and commitments
6 without regard to fiscal year limitations, as provided by
7 section 9104, title 31, United States Code, \$30,960,000.

8 PEACE CORPS

9 For expenses necessary to carry out the provisions
10 of the Peace Corps Act (75 Stat. 612), \$219,745,000, in-
11 cluding the purchase of not to exceed five passenger motor
12 vehicles for administrative purposes for use outside of the
13 United States: *Provided*, That none of the funds appro-
14 priated under this heading shall be used to pay for abor-
15 tions: *Provided further*, That funds appropriated under
16 this heading shall remain available until September 30,
17 1996.

18 DEPARTMENT OF STATE

19 INTERNATIONAL NARCOTICS CONTROL

20 For necessary expenses to carry out the provisions
21 of section 481 of the Foreign Assistance Act of 1961,
22 \$115,000,000.

23 MIGRATION AND REFUGEE ASSISTANCE

24 For expenses, not otherwise provided for, necessary
25 to enable the Secretary of State to provide, as authorized
26 by law, a contribution to the International Committee of

1 the Red Cross and assistance to refugees, including con-
2 tributions to the Intergovernmental Committee for Migra-
3 tion and the United Nations High Commissioner for Refu-
4 gees; salaries and expenses of personnel and dependents
5 as authorized by the Foreign Service Act of 1980; allow-
6 ances as authorized by sections 5921 through 5925 of title
7 5, United States Code; hire of passenger motor vehicles;
8 and services as authorized by section 3109 of title 5,
9 United States Code, \$670,688,000: *Provided*, That not
10 more than \$11,500,000 of the funds appropriated under
11 this heading shall be available for the administrative ex-
12 penses of the Office of Refugee Programs of the Depart-
13 ment of State.

14 REFUGEE RESETTLEMENT ASSISTANCE

15 For necessary expenses for the targeted assistance
16 program authorized by title IV of the Immigration and
17 Nationality Act and section 501 of the Refugee Education
18 Assistance Act of 1980 and administered by the Office of
19 Refugee Resettlement of the Department of Health and
20 Human Services, in addition to amounts otherwise avail-
21 able for such purposes, \$12,000,000.

22 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
23 ASSISTANCE FUND

24 For necessary expenses to carry out the provisions
25 of section 2(c) of the Migration and Refugee Assistance
26 Act of 1962, as amended (22 U.S.C. 260(c)),

1 \$50,000,000, to remain available until expended: *Pro-*
2 *vided*, That the funds made available under this heading
3 are appropriated notwithstanding the provisions contained
4 in section 2(c)(2) of the Migration and Refugee Assistance
5 Act of 1962 which would limit the amount of funds which
6 could be appropriated for this purpose.

7 ANTI-TERRORISM ASSISTANCE

8 For necessary expenses to carry out the provisions
9 of chapter 8 of part II of the Foreign Assistance Act of
10 1961, \$15,244,000.

11 NONPROLIFERATION AND DISARMAMENT FUND

12 For necessary expenses for a “Nonproliferation and
13 Disarmament Fund”, \$10,000,000, to remain available
14 until expended, to promote bilateral and multilateral ac-
15 tivities: *Provided*, That such funds may be used pursuant
16 to the authorities contained in section 504 of the FREE-
17 DOM Support Act: *Provided further*, That such funds may
18 also be used for such countries other than the new inde-
19 pendent states of the former Soviet Union and inter-
20 national organizations when it is in the national security
21 interest of the United States to do so: *Provided further*,
22 That funds appropriated under this heading may be made
23 available notwithstanding any other provision of law: *Pro-*
24 *vided further*, That funds appropriated under this heading
25 shall be subject to the regular notification procedures of
26 the Committees on Appropriations.

1 TITLE III—MILITARY ASSISTANCE

2 FUNDS APPROPRIATED TO THE PRESIDENT

3 INTERNATIONAL MILITARY EDUCATION AND TRAINING

4 For necessary expenses to carry out the provisions
5 of section 541 of the Foreign Assistance Act of 1961,
6 \$25,500,000: *Provided*, That up to \$300,000 of the funds
7 appropriated under this heading may be made available
8 for grant financed military education and training for any
9 country whose annual per capita GNP exceeds \$2,349 on
10 the condition that that country agrees to fund from its
11 own resources the transportation cost and living allow-
12 ances of its students: *Provided further*, That the civilian
13 personnel for whom military education and training may
14 be provided under this heading may also include members
15 of national legislatures who are responsible for the over-
16 sight and management of the military: *Provided further*,
17 That none of the funds appropriated under this heading
18 shall be available for Indonesia and Zaire: *Provided fur-*
19 *ther*, That none of the funds appropriated by this Act shall
20 be used to facilitate the provision of IMET to Indonesia:
21 *Provided further*, That a report is to be submitted to the
22 Committees on Appropriations addressing how the pro-
23 posed School of the Americas IMET program will contrib-
24 ute to the promotion of human rights, respect for civilian
25 authority and the rule of law, the establishment of legiti-

1 mate judicial mechanisms for the military, and achieving
2 the goal of right sizing military forces.

3 For necessary expenses, for the military-to-military
4 contact program of the Department of Defense,
5 \$12,000,000, to be made available only for activities for
6 East European countries and the Baltic States.

7 FOREIGN MILITARY FINANCING PROGRAM

8 For expenses necessary for grants to enable the
9 President to carry out the provisions of section 23 of the
10 Arms Export Control Act, \$3,149,279,000: *Provided*, That
11 funds appropriated by this paragraph that are made avail-
12 able for Israel and Egypt shall be available only as grants:
13 *Provided further*, That the funds appropriated by this
14 paragraph that are made available for Israel shall be dis-
15 bursed within thirty days of enactment of this Act or by
16 October 31, 1994, whichever is later: *Provided further*,
17 That funds made available under this paragraph shall be
18 nonrepayable notwithstanding any requirement in section
19 23 of the Arms Export Control Act.

20 For the cost, as defined in section 13201 of the
21 Budget Enforcement Act of 1990, of direct loans author-
22 ized by section 23 of the Arms Export Control Act as fol-
23 lows: cost of direct loans, \$47,917,000: *Provided*, That
24 these funds are available to subsidize gross obligations for
25 the principal amount of direct loans of not to exceed
26 \$619,650,000: *Provided further*, That the rate of interest

1 charged on such loans shall be not less than the current
2 average market yield on outstanding marketable obliga-
3 tions of the United States of comparable maturities: *Pro-*
4 *vided further*, That the principal amount of direct loans
5 for Greece and Turkey shall be made available according
6 to a 7 to 10 ratio: *Provided further*, That 25 percent of
7 the principal amount of direct loans for Turkey shall be
8 withheld until the Secretary of State, in consultation with
9 the Secretary of Defense, has submitted to the Commit-
10 tees on Appropriations a report addressing, among other
11 things, the allegations of abuses against civilians by the
12 Turkish armed forces and the situation in Cyprus, and
13 a separate notification has been submitted at least 15 days
14 prior to the obligation of such funds: *Provided further*,
15 That 25 percent of the principal amount of direct loans
16 for Greece shall be withheld until the Secretary of State
17 has submitted to the Committees on Appropriations a re-
18 port on the allegations of Greek violations of the United
19 Nations sanctions against Serbia and of the United Na-
20 tions Charter, and a separate notification has been sub-
21 mitted at least 15 days prior to the obligation of such
22 funds.

23 None of the funds made available under this heading
24 shall be available to finance the procurement of defense
25 articles, defense services, or design and construction serv-

1 ices that are not sold by the United States Government
2 under the Arms Export Control Act unless the foreign
3 country proposing to make such procurements has first
4 signed an agreement with the United States Government
5 specifying the conditions under which such procurements
6 may be financed with such funds: *Provided*, That all coun-
7 try and funding level increases in allocations shall be sub-
8 mitted through the regular notification procedures of sec-
9 tion 515 of this Act: *Provided further*, That funds made
10 available under this heading shall be obligated upon appor-
11 tionment in accordance with paragraph (5)(C) of title 31,
12 United States Code, section 1501(a): *Provided further*,
13 That none of the funds appropriated under this heading
14 shall be available for Zaire, Sudan, Liberia, Guatemala,
15 Peru, and Malawi: *Provided further*, That none of the
16 funds appropriated under this heading may be made avail-
17 able for Colombia or Bolivia until the Secretary of State
18 certifies that such funds will be used by such country pri-
19 marily for counternarcotics activities: *Provided further*,
20 That not more than \$100,000,000 of the funds made
21 available under this heading shall be available for use in
22 financing the procurement of defense articles, defense
23 services, or design and construction services that are not
24 sold by the United States Government under the Arms
25 Export Control Act to countries other than Israel and

1 Egypt: *Provided further*, That only those countries for
2 which assistance was justified for the “Foreign Military
3 Sales Financing Program” in the fiscal year 1989 con-
4 gressional presentation for security assistance programs
5 may utilize funds made available under this heading for
6 procurement of defense articles, defense services or design
7 and construction services that are not sold by the United
8 States Government under the Arms Export Control Act:
9 *Provided further*, That, subject to the regular notification
10 procedures of the Committees on Appropriations, funds
11 made available under this heading for the cost of direct
12 loans may also be used to supplement the funds available
13 under this heading for necessary expenses for grants if
14 countries specified under this heading as eligible for such
15 direct loans decline to utilize such loans: *Provided further*,
16 That funds appropriated under this heading shall be ex-
17 pended at the minimum rate necessary to make timely
18 payment for defense articles and services: *Provided fur-*
19 *ther*, That the Department of Defense shall conduct dur-
20 ing the current fiscal year nonreimbursable audits of pri-
21 vate firms whose contracts are made directly with foreign
22 governments and are financed with funds made available
23 under this heading (as well as subcontractors thereunder)
24 as requested by the Defense Security Assistance Agency:
25 *Provided further*, That not more than \$22,150,000 of the

1 funds appropriated under this heading may be obligated
2 for necessary expenses, including the purchase of pas-
3 senger motor vehicles for replacement only for use outside
4 of the United States, for the general costs of administer-
5 ing military assistance and sales: *Provided further*, That
6 not more than \$335,000,000 of funds realized pursuant
7 to section 21(e)(1)(A) of the Arms Export Control Act
8 may be obligated for expenses incurred by the Department
9 of Defense during the fiscal year 1994 pursuant to section
10 43(b) of the Arms Export Control Act, except that this
11 limitation may be exceeded only through the regular notifi-
12 cation procedures of the Committees on Appropriations:
13 *Provided further*, That none of the funds appropriated
14 under this heading, and no employee of the Defense Secu-
15 rity Assistance Agency, may be used to facilitate the
16 transport of aircraft to commercial arms sales shows.

17 PEACEKEEPING OPERATIONS

18 For necessary expenses to carry out the provisions
19 of section 551 of the Foreign Assistance Act of 1961,
20 \$75,000,000.

21 TITLE IV—EXPORT ASSISTANCE

22 EXPORT-IMPORT BANK OF THE UNITED STATES

23 The Export-Import Bank of the United States is au-
24 thorized to make such expenditures within the limits of
25 funds and borrowing authority available to such corpora-
26 tion, and in accordance with law, and to make such con-

1 tracts and commitments without regard to fiscal year limi-
2 tations, as provided by section 104 of the Government
3 Corporation Control Act, as may be necessary in carrying
4 out the program for the current fiscal year for such cor-
5 poration: *Provided*, That none of the funds available dur-
6 ing the current fiscal year may be used to make expendi-
7 tures, contracts, or commitments for the export of nuclear
8 equipment, fuel, or technology to any country other than
9 a nuclear-weapon State as defined in article IX of the
10 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
11 ble to receive economic or military assistance under this
12 Act that has detonated a nuclear explosive after the date
13 of enactment of this Act.

14 SUBSIDY APPROPRIATION

15 For the cost of direct loans, loan guarantees, insur-
16 ance, and tied-aid grants as authorized by section 10 of
17 the Export-Import Bank Act of 1945, as amended,
18 \$792,653,000 to remain available until September 30,
19 1996: *Provided*, That such costs, including the cost of
20 modifying such loans, shall be as defined in section 502
21 of the Congressional Budget Act of 1974: *Provided fur-*
22 *ther*, That these funds are available to subsidize gross obli-
23 gations for the principal amount of direct loans, and tied-
24 aid grants, and total loan principal, any part of which is
25 to be guaranteed, including insurance, of not to exceed
26 \$19,000,000,000: *Provided further*, That such sums shall

1 remain available until 2010 for the disbursement of direct
2 loans, loan guarantees, insurance and tied-aid grants obli-
3 gated in fiscal years 1995 and 1996: *Provided further,*
4 That up to \$100,000,000 of funds appropriated by this
5 paragraph shall remain available until expended and may
6 be used for tied-aid grant purposes: *Provided further,* That
7 none of the funds appropriated by this paragraph may be
8 used for tied-aid credits or grants except through the regu-
9 lar notification procedures of the Committees on Appro-
10 priations: *Provided further,* That funds appropriated by
11 this paragraph are made available notwithstanding section
12 2(b)(2) of the Export-Import Bank Act of 1945, in con-
13 nection with the purchase or lease of any product by any
14 East European country, any Baltic State, or any agency
15 or national thereof.

16 ADMINISTRATIVE EXPENSES

17 For administrative expenses to carry out the direct
18 and guaranteed loan and insurance programs (to be com-
19 puted on an accrual basis), including hire of passenger
20 motor vehicles and services as authorized by 5 U.S.C.
21 3109, and not to exceed \$20,000 for official reception and
22 representation expenses for members of the Board of Di-
23 rectors, \$44,550,000: *Provided,* That necessary expenses
24 (including special services performed on a contract or fee
25 basis, but not including other personal services) in connec-
26 tion with the collection of moneys owed the Export-Import

1 Bank, repossession or sale of pledged collateral or other
2 assets acquired by the Export-Import Bank in satisfaction
3 of moneys owed the Export-Import Bank, or the investiga-
4 tion or appraisal of any property, or the evaluation of the
5 legal or technical aspects of any transaction for which an
6 application for a loan, guarantee or insurance commitment
7 has been made, shall be considered nonadministrative ex-
8 penses for the purposes of this heading.

9 OVERSEAS PRIVATE INVESTMENT CORPORATION
10 PROGRAM ACCOUNT

11 For the subsidy cost as defined in section 13201 of
12 the Budget Enforcement Act of 1990, of direct and guar-
13 anteed loans authorized by section 234 of the Foreign As-
14 sistance Act of 1961, as follows: cost of direct and guaran-
15 teed loans, \$23,296,000. In addition, for administrative
16 expenses to carry out the direct and guaranteed loan pro-
17 grams, \$7,933,000: *Provided*, That the funds provided in
18 this paragraph shall be available for and apply to costs,
19 direct loan obligations and loan guaranty commitments in-
20 curred or made during the period from October 1, 1994
21 through September 30, 1996: *Provided further*, That such
22 sums are to remain available through fiscal year 2003 for
23 the disbursement of direct and guaranteed loans obligated
24 in fiscal year 1995, and through 2004 for the disburse-
25 ment of direct and guaranteed loans obligated in fiscal
26 year 1996.

1 The Overseas Private Investment Corporation is au-
2 thorized to make, without regard to fiscal year limitations,
3 as provided by 31 U.S.C. 9104, such noncredit expendi-
4 tures and commitments within the limits of funds available
5 to it and in accordance with law (including an amount for
6 official reception and representation expenses which shall
7 not exceed \$35,000) as may be necessary.

8 FUNDS APPROPRIATED TO THE PRESIDENT
9 TRADE AND DEVELOPMENT AGENCY

10 For necessary expenses to carry out the provisions
11 of section 661 of the Foreign Assistance Act of 1961,
12 \$44,986,000.

13 TITLE V—GENERAL PROVISIONS

14 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

15 SEC. 501. Except for the appropriations entitled
16 “International Disaster Assistance”, and “United States
17 Emergency Refugee and Migration Assistance Fund”, not
18 more than 15 per centum of any appropriation item made
19 available by this Act shall be obligated during the last
20 month of availability.

21 PROHIBITION OF BILATERAL FUNDING FOR
22 INTERNATIONAL FINANCIAL INSTITUTIONS

23 SEC. 502. None of the funds contained in title II of
24 this Act may be used to carry out the provisions of section
25 209(d) of the Foreign Assistance Act of 1961.

1 LIMITATION ON RESIDENCE EXPENSES

2 SEC. 503. Of the funds appropriated or made avail-
3 able pursuant to this Act, not to exceed \$126,500 shall
4 be for official residence expenses of the Agency for Inter-
5 national Development during the current fiscal year: *Pro-*
6 *vided*, That appropriate steps shall be taken to assure
7 that, to the maximum extent possible, United States-
8 owned foreign currencies are utilized in lieu of dollars.

9 LIMITATION ON EXPENSES

10 SEC. 504. Of the funds appropriated or made avail-
11 able pursuant to this Act, not to exceed \$5,000 shall be
12 for entertainment expenses of the Agency for International
13 Development during the current fiscal year.

14 LIMITATION ON REPRESENTATIONAL ALLOWANCES

15 SEC. 505. Of the funds appropriated or made avail-
16 able pursuant to this Act, not to exceed \$95,000 shall be
17 available for representation allowances for the Agency for
18 International Development during the current fiscal year:
19 *Provided*, That appropriate steps shall be taken to assure
20 that, to the maximum extent possible, United States-
21 owned foreign currencies are utilized in lieu of dollars:
22 *Provided further*, That of the funds made available by this
23 Act for general costs of administering military assistance
24 and sales under the heading “Foreign Military Financing
25 Program”, not to exceed \$2,000 shall be available for en-
26 tertainment expenses and not to exceed \$50,000 shall be

1 available for representation allowances: *Provided further*,
2 That of the funds made available by this Act under the
3 heading “International Military Education and Training”,
4 not to exceed \$50,000 shall be available for entertainment
5 allowances: *Provided further*, That of the funds made
6 available by this Act for the Inter-American Foundation,
7 not to exceed \$2,000 shall be available for entertainment
8 and representation allowances: *Provided further*, That of
9 the funds made available by this Act for the Peace Corps,
10 not to exceed a total of \$4,000 shall be available for enter-
11 tainment expenses: *Provided further*, That of the funds
12 made available by this Act under the heading “Trade and
13 Development Agency”, not to exceed \$2,000 shall be avail-
14 able for representation and entertainment allowances.

15 PROHIBITION ON FINANCING NUCLEAR GOODS

16 SEC. 506. None of the funds appropriated or made
17 available (other than funds for “International Organiza-
18 tions and Programs”) pursuant to this Act, for carrying
19 out the Foreign Assistance Act of 1961, may be used, ex-
20 cept for purposes of nuclear safety, to finance the export
21 of nuclear equipment, fuel, or technology.

22 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
23 COUNTRIES

24 SEC. 507. None of the funds appropriated or other-
25 wise made available pursuant to this Act shall be obligated
26 or expended to finance directly any assistance or repara-

1 tions to Cuba, Iraq, Libya, the Socialist Republic of Viet-
2 nam, Iran, Serbia, Sudan, or Syria: *Provided*, That for
3 purposes of this section, the prohibition on obligations or
4 expenditures shall include direct loans, credits, insurance
5 and guarantees of the Export-Import Bank or its agents.

6

MILITARY COUPS

7 SEC. 508. None of the funds appropriated or other-
8 wise made available pursuant to this Act shall be obligated
9 or expended to finance directly any assistance to any coun-
10 try whose duly elected Head of Government is deposed by
11 military coup or decree: *Provided*, That assistance may be
12 resumed to such country if the President determines and
13 reports to the Committees on Appropriations that subse-
14 quent to the termination of assistance a democratically
15 elected government has taken office.

16

TRANSFERS BETWEEN ACCOUNTS

17 SEC. 509. None of the funds made available by this
18 Act may be obligated under an appropriation account to
19 which they were not appropriated, unless the President,
20 prior to the exercise of any authority contained in the For-
21 eign Assistance Act of 1961 to transfer funds, consults
22 with and provides a written policy justification to the
23 Committees on Appropriations of the House of Represent-
24 atives and the Senate: *Provided*, That the exercise of such
25 authority shall be subject to the regular notification proce-
26 dures of the Committees on Appropriations.

1 DEOBLIGATION/REOBLIGATION AUTHORITY

2 SEC. 510. (a) Amounts certified pursuant to section
3 1311 of the Supplemental Appropriations Act, 1955, as
4 having been obligated against appropriations heretofore
5 made under the authority of the Foreign Assistance Act
6 of 1961 for the same general purpose as any of the head-
7 ings under the “Agency for International Development”
8 are, if deobligated, hereby continued available for the same
9 period as the respective appropriations under such head-
10 ings or until September 30, 1995, whichever is later, and
11 for the same general purpose, and for countries within the
12 same region as originally obligated: *Provided*, That the
13 Appropriations Committees of both Houses of the Con-
14 gress are notified fifteen days in advance of the
15 deobligation and reobligation of such funds in accordance
16 with regular notification procedures of the Committees on
17 Appropriations.

18 (b) Obligated balances of funds appropriated to carry
19 out section 23 of the Arms Export Control Act as of the
20 end of the fiscal year immediately preceding the current
21 fiscal year are, if deobligated, hereby continued available
22 during the current fiscal year for the same purpose under
23 any authority applicable to such appropriations under this
24 Act: *Provided*, That the authority of this subsection may
25 not be used in fiscal year 1995.

1 AVAILABILITY OF FUNDS

2 SEC. 511. No part of any appropriation contained in
3 this Act shall remain available for obligation after the ex-
4 piration of the current fiscal year unless expressly so pro-
5 vided in this Act: *Provided*, That funds appropriated for
6 the purposes of chapters 1 and 8 of part I, section 667,
7 and chapter 4 of part II of the Foreign Assistance Act
8 of 1961, as amended, shall remain available until ex-
9 pended if such funds are initially obligated before the expi-
10 ration of their respective periods of availability contained
11 in this Act: *Provided further*, That, notwithstanding any
12 other provision of this Act, any funds made available for
13 the purposes of chapter 1 of part I and chapter 4 of part
14 II of the Foreign Assistance Act of 1961 which are allo-
15 cated or obligated for cash disbursements in order to ad-
16 dress balance of payments or economic policy reform ob-
17 jectives, shall remain available until expended: *Provided*
18 *further*, That the report required by section 653(a) of the
19 Foreign Assistance Act of 1961 shall designate for each
20 country, to the extent known at the time of submission
21 of such report, those funds allocated for cash disburse-
22 ment for balance of payment and economic policy reform
23 purposes.

24 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

25 SEC. 512. No part of any appropriation contained in
26 this Act shall be used to furnish assistance to any country

1 which is in default during a period in excess of one cal-
2 endar year in payment to the United States of principal
3 or interest on any loan made to such country by the
4 United States pursuant to a program for which funds are
5 appropriated under this Act: *Provided*, That this section
6 and section 620(q) of the Foreign Assistance Act of 1961
7 shall not apply to funds made available in this Act or dur-
8 ing the current fiscal year for Nicaragua, and for any nar-
9 cotics-related assistance for Colombia, Bolivia, and Peru
10 authorized by the Foreign Assistance Act of 1961 or the
11 Arms Export Control Act.

12 COMMERCE AND TRADE

13 SEC. 513. (a) None of the funds appropriated or
14 made available pursuant to this Act for direct assistance
15 and none of the funds otherwise made available pursuant
16 to this Act to the Export-Import Bank and the Overseas
17 Private Investment Corporation shall be obligated or ex-
18 pended to finance any loan, any assistance or any other
19 financial commitments for establishing or expanding pro-
20 duction of any commodity for export by any country other
21 than the United States, if the commodity is likely to be
22 in surplus on world markets at the time the resulting pro-
23 ductive capacity is expected to become operative and if the
24 assistance will cause substantial injury to United States
25 producers of the same, similar, or competing commodity:
26 *Provided*, That such prohibition shall not apply to the Ex-

1 port-Import Bank if in the judgment of its Board of Direc-
2 tors the benefits to industry and employment in the
3 United States are likely to outweigh the injury to United
4 States producers of the same, similar, or competing com-
5 modity.

6 (b) None of the funds appropriated by this or any
7 other Act to carry out chapter 1 of part I of the Foreign
8 Assistance Act of 1961 shall be available for any testing
9 or breeding feasibility study, variety improvement or intro-
10 duction, consultancy, publication, conference, or training
11 in connection with the growth or production in a foreign
12 country of an agricultural commodity for export which
13 would compete with a similar commodity grown or pro-
14 duced in the United States: *Provided*, That this subsection
15 shall not prohibit—

16 (1) activities designed to increase food security
17 in developing countries where such activities will not
18 have a significant impact in the export of agricul-
19 tural commodities of the United States; or

20 (2) research activities intended primarily to
21 benefit American producers.

22 (c) None of the funds provided in this Act to the
23 Agency for International Development, other than funds
24 made available to carry out Caribbean Basin Initiative
25 programs under the Tariff Schedules of the United States,

1 section 1202 of title 19, United States Code, schedule 8,
2 part I, subpart B, item 807.00, shall be obligated or ex-
3 pended—

4 (1) to procure directly feasibility studies or
5 prefeasibility studies for, or project profiles of poten-
6 tial investment in, the manufacture, for export to
7 the United States or to third country markets in di-
8 rect competition with United States exports, of im-
9 port-sensitive articles as defined by section 503(c)(1)
10 (A) and (E) of the Tariff Act of 1930 (19 U.S.C.
11 2463(c)(1) (A) and (E)); or

12 (2) to assist directly in the establishment of fa-
13 cilities specifically designed for the manufacture, for
14 export to the United States or to third country mar-
15 kets in direct competition with United States ex-
16 ports, of import-sensitive articles as defined in sec-
17 tion 503(c)(1) (A) and (E) of the Tariff Act of 1930
18 (19 U.S.C. 2463(c)(1) (A) and (E)).

19 SURPLUS COMMODITIES

20 SEC. 514. The Secretary of the Treasury shall in-
21 struct the United States Executive Directors of the Inter-
22 national Bank for Reconstruction and Development, the
23 International Development Association, the International
24 Finance Corporation, the Inter-American Development
25 Bank, the International Monetary Fund, the Asian Devel-
26 opment Bank, the Inter-American Investment Corpora-

1 tion, the European Bank for Reconstruction and Develop-
2 ment, the African Development Bank, and the African De-
3 velopment Fund to use the voice and vote of the United
4 States to oppose any assistance by these institutions,
5 using funds appropriated or made available pursuant to
6 this Act, for the production or extraction of any commod-
7 ity or mineral for export, if it is in surplus on world mar-
8 kets and if the assistance will cause substantial injury to
9 United States producers of the same, similar, or compet-
10 ing commodity.

11 NOTIFICATION REQUIREMENTS

12 SEC. 515. For the purposes of providing the Execu-
13 tive Branch with the necessary administrative flexibility,
14 none of the funds made available under this Act for “De-
15 velopment Assistance Fund”, “Population, Development
16 Assistance”, “Development Fund for Africa”, “Inter-
17 national organizations and programs”, “Trade and Devel-
18 opment Agency”, “International narcotics control”, “As-
19 sistance for Eastern Europe and the Baltic States”, “As-
20 sistance for the New Independent States of the Former
21 Soviet Union”, “Economic Support Fund”, “Peacekeeping
22 operations”, “Operating expenses of the Agency for Inter-
23 national Development”, “Operating expenses of the Agen-
24 cy for International Development Office of Inspector Gen-
25 eral”, “Anti-terrorism assistance”, “Foreign Military Fi-
26 nancing Program”, “International military education and

1 training” (including the military-to-military contact pro-
2 gram), “Inter-American Foundation”, “African Develop-
3 ment Foundation”, “Peace Corps”, or “Migration and ref-
4 ugee assistance”, shall be available for obligation for ac-
5 tivities, programs, projects, type of materiel assistance,
6 countries, or other operation not justified or in excess of
7 the amount justified to the Appropriations Committees for
8 obligation under any of these specific headings unless the
9 Appropriations Committees of both Houses of Congress
10 are previously notified fifteen days in advance: *Provided*,
11 That the President shall not enter into any commitment
12 of funds appropriated for the purposes of section 23 of
13 the Arms Export Control Act for the provision of major
14 defense equipment, other than conventional ammunition,
15 or other major defense items defined to be aircraft, ships,
16 missiles, or combat vehicles, not previously justified to
17 Congress or 20 per centum in excess of the quantities jus-
18 tified to Congress unless the Committees on Appropria-
19 tions are notified fifteen days in advance of such commit-
20 ment: *Provided further*, That this section shall not apply
21 to any reprogramming for an activity, program, or project
22 under chapter 1 of part I of the Foreign Assistance Act
23 of 1961 of less than 20 per centum of the amount pre-
24 viously justified to the Congress for obligation for such
25 activity, program, or project for the current fiscal year:

1 *Provided further*, That the requirements of this section or
2 any similar provision of this Act requiring notification in
3 accordance with the regular notification procedures of the
4 Committees on Appropriations may be waived if failure
5 to do so would pose a substantial risk to human health
6 or welfare: *Provided further*, That in case of any such
7 waiver, notification to the Congress, or the appropriate
8 congressional committees, shall be provided as early as
9 practicable, but in no event later than three days after
10 taking the action to which such notification requirement
11 was applicable, in the context of the circumstances neces-
12 sitating such waiver: *Provided further*, That any notifica-
13 tion provided pursuant to such a waiver shall contain an
14 explanation of the emergency circumstances.

15 Drawdowns made pursuant to section 506(a)(2) of
16 the Foreign Assistance Act of 1961 shall be subject to the
17 regular notification procedures of the Committees on Ap-
18 propriations.

19 LIMITATION ON AVAILABILITY OF FUNDS FOR
20 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

21 SEC. 516. (a) Notwithstanding any other provision
22 of law or of this Act, none of the funds provided for
23 “International Organizations and Programs” shall be
24 available for the United States proportionate share, in ac-
25 cordance with section 307(c) of the Foreign Assistance
26 Act of 1961, for any programs identified in section 307,

1 or for Libya, Iran, or, at the discretion of the President,
2 Communist countries listed in section 620(f) of the For-
3 eign Assistance Act of 1961, as amended: *Provided*,
4 That, subject to the regular notification procedures of
5 the Committees on Appropriations, funds appropriated
6 under this Act or any previously enacted Act making ap-
7 propriations for foreign operations, export financing, and
8 related programs, which are returned or not made avail-
9 able for organizations and programs because of the imple-
10 mentation of this section or any similar provision of law,
11 shall remain available for obligation through September
12 30, 1996.

13 (b) The United States shall not make any voluntary
14 or assessed contribution—

15 (1) to any affiliated organization of the United
16 Nations which grants full membership as a state to
17 any organization or group that does not have the
18 internationally recognized attributes of statehood, or

19 (2) to the United Nations, if the United Na-
20 tions grants full membership as a state in the
21 United Nations to any organization or group that
22 does not have the internationally recognized at-
23 tributes of statehood,
24 during any period in which such membership is effective.

1 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

2 SEC. 517. The Congress finds that progress on the
3 peace process in the Middle East is vitally important to
4 United States security interests in the region. The Con-
5 gress recognizes that, in fulfilling its obligations under the
6 Treaty of Peace Between the Arab Republic of Egypt and
7 the State of Israel, done at Washington on March 26,
8 1979, Israel incurred severe economic burdens. Further-
9 more, the Congress recognizes that an economically and
10 militarily secure Israel serves the security interests of the
11 United States, for a secure Israel is an Israel which has
12 the incentive and confidence to continue pursuing the
13 peace process. Therefore, the Congress declares that it is
14 the policy and the intention of the United States that the
15 funds provided in annual appropriations for the Economic
16 Support Fund which are allocated to Israel shall not be
17 less than the annual debt repayment (interest and prin-
18 cipal) from Israel to the United States Government in rec-
19 ognition that such a principle serves United States inter-
20 ests in the region.

21 PROHIBITION CONCERNING ABORTIONS AND

22 INVOLUNTARY STERILIZATION

23 SEC. 518. None of the funds made available to carry
24 out part I of the Foreign Assistance Act of 1961, as
25 amended, may be used to pay for the performance of abor-
26 tions as a method of family planning or to motivate or

1 coerce any person to practice abortions. None of the funds
2 made available to carry out part I of the Foreign Assist-
3 ance Act of 1961, as amended, may be used to pay for
4 the performance of involuntary sterilization as a method
5 of family planning or to coerce or provide any financial
6 incentive to any person to undergo sterilizations. None of
7 the funds made available to carry out part I of the Foreign
8 Assistance Act of 1961, as amended, may be used to pay
9 for any biomedical research which relates in whole or in
10 part, to methods of, or the performance of, abortions or
11 involuntary sterilization as a means of family planning.
12 None of the funds made available to carry out part I of
13 the Foreign Assistance Act of 1961, as amended, may be
14 obligated or expended for any country or organization if
15 the President certifies that the use of these funds by any
16 such country or organization would violate any of the
17 above provisions related to abortions and involuntary steri-
18 lizations. The Congress reaffirms its commitments to Pop-
19 ulation, Development Assistance and to the need for in-
20 formed voluntary family planning.

21 REPORTING REQUIREMENT

22 SEC. 519. The President shall submit to the Commit-
23 tees on Appropriations the reports required by section
24 25(a)(1) of the Arms Export Control Act.

1 SPECIAL NOTIFICATION REQUIREMENTS

2 SEC. 520. None of the funds appropriated in this Act
3 shall be obligated or expended for Colombia, El Salvador,
4 Guatemala, Haiti, Indonesia, Liberia, Nicaragua, Paki-
5 stan, Peru, Rwanda, Sudan, or Zaire except as provided
6 through the regular notification procedures of the Com-
7 mittees on Appropriations: *Provided*, That this section
8 shall not apply to funds appropriated by this Act to carry
9 out the provisions of chapter 1 of part I of the Foreign
10 Assistance Act of 1961 that are made available for El Sal-
11 vador and Nicaragua.

12 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

13 SEC. 521. For the purpose of this Act, “program,
14 project, and activity” shall be defined at the Appropria-
15 tions Act account level and shall include all Appropriations
16 and Authorizations Acts earmarks, ceilings, and limita-
17 tions with the exception that for the following accounts:
18 Economic Support Fund and Foreign Military Financing
19 Program, “program, project, and activity” shall also be
20 considered to include country, regional, and central pro-
21 gram level funding within each such account; for the devel-
22 opment assistance accounts of the Agency for Inter-
23 national Development “program, project, and activity”
24 shall also be considered to include central program level
25 funding, either as (1) justified to the Congress, or (2) allo-
26 cated by the executive branch in accordance with a report,

1 to be provided to the Committees on Appropriations within
2 thirty days of enactment of this Act, as required by section
3 653(a) of the Foreign Assistance Act of 1961.

4 FAMILY PLANNING, CHILD SURVIVAL AND AIDS

5 ACTIVITIES

6 SEC. 522. Up to \$8,000,000 of the funds made avail-
7 able by this Act for assistance for family planning, health,
8 child survival, and AIDS, may be used to reimburse
9 United States Government agencies, agencies of State gov-
10 ernments, institutions of higher learning, and private and
11 voluntary organizations for the full cost of individuals (in-
12 cluding for the personal services of such individuals) de-
13 tailed or assigned to, or contracted by, as the case may
14 be, the Agency for International Development for the pur-
15 pose of carrying out family planning activities, child sur-
16 vival activities and activities relating to research on, and
17 the treatment and control of, acquired immune deficiency
18 syndrome in developing countries: *Provided*, That such in-
19 dividuals shall not be included within any personnel ceiling
20 applicable to any United States Government agency dur-
21 ing the period of detail or assignment: *Provided further*,
22 That funds appropriated by this Act that are made avail-
23 able for child survival activities or activities relating to re-
24 search on, and the treatment and control of, acquired im-
25 mune deficiency syndrome may be made available notwith-
26 standing any provision of law that restricts assistance to

1 foreign countries: *Provided further*, That funds appro-
2 priated by this Act that are made available for family
3 planning activities may be made available notwithstanding
4 section 512 of this Act and section 620(q) of the Foreign
5 Assistance Act of 1961.

6 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
7 COUNTRIES

8 SEC. 523. None of the funds appropriated or other-
9 wise made available pursuant to this Act shall be obligated
10 to finance indirectly any assistance or reparations to
11 Cuba, Iraq, Libya, the Socialist Republic of Vietnam,
12 Iran, Syria, North Korea, People's Republic of China, or
13 Laos unless the President of the United States certifies
14 that the withholding of these funds is contrary to the na-
15 tional interest of the United States.

16 RECIPROCAL LEASING

17 SEC. 524. Section 61(a) of the Arms Export Control
18 Act is amended by striking out "1994" and inserting in
19 lieu thereof "1995".

20 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

21 SEC. 525. Prior to providing excess Department of
22 Defense articles in accordance with section 516(a) of the
23 Foreign Assistance Act of 1961, the Department of De-
24 fense shall notify the Committees on Appropriations to the
25 same extent and under the same conditions as are other
26 committees pursuant to subsection (c) of that section: *Pro-*

1 *vided*, That before issuing a letter of offer to sell excess
2 defense articles under the Arms Export Control Act, the
3 Department of Defense shall notify the Committees on
4 Appropriations in accordance with the regular notification
5 procedures of such Committees: *Provided further*, That
6 such Committees shall also be informed of the original ac-
7 quisition cost of such defense articles.

8 AUTHORIZATION REQUIREMENT

9 SEC. 526. Funds appropriated by this Act may be
10 obligated and expended subject to section 10 of Public
11 Law 91-672 and section 15 of the State Department
12 Basic Authorities Act of 1956.

13 DEPLETED URANIUM

14 SEC. 527. None of the funds provided in this or any
15 other Act may be made available to facilitate in any way
16 the sale of M-833 antitank shells or any comparable anti-
17 tank shells containing a depleted uranium penetrating
18 component to any country other than (1) countries which
19 are members of NATO, (2) countries which have been des-
20 ignated as a major non-NATO ally for purposes of section
21 1105 of the National Defense Authorization Act for Fiscal
22 Year 1987 or, (3) Taiwan: *Provided*, That funds may be
23 made available to facilitate the sale of such shells notwith-
24 standing the limitations of this section if the President
25 determines that to do so is in the national security interest
26 of the United States.

1 OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES
2 BY INTERNATIONAL FINANCIAL INSTITUTIONS

3 SEC. 528. (a) INSTRUCTIONS FOR UNITED STATES
4 EXECUTIVE DIRECTORS.—The Secretary of the Treasury
5 shall instruct the United States Executive Director of each
6 international financial institution designated in subsection
7 (b), and the Administrator of the Agency for International
8 Development shall instruct the United States Executive
9 Director of the International Fund for Agriculture Devel-
10 opment, to use the voice and vote of the United States
11 to oppose any loan or other use of the funds of the respec-
12 tive institution to or for a country for which the Secretary
13 of State has made a determination under section 6(j) of
14 the Export Administration Act of 1979.

15 (b) DEFINITION.—For purposes of this section, the
16 term “international financial institution” includes—

17 (1) the International Bank for Reconstruction
18 and Development, the International Development
19 Association, and the International Monetary Fund;
20 and

21 (2) wherever applicable, the Inter-American De-
22 velopment Bank, the Asian Development Bank, the
23 African Development Bank, the African Develop-
24 ment Fund, and the European Bank for Reconstruc-
25 tion and Development.

1 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
2 COUNTRIES

3 SEC. 529. (a) Notwithstanding any other provision
4 of law, funds appropriated for bilateral assistance under
5 any heading of this Act and funds appropriated under any
6 such heading in a provision of law enacted prior to enact-
7 ment of this Act, shall not be made available to any coun-
8 try which the President determines—

9 (1) grants sanctuary from prosecution to any
10 individual or group which has committed an act of
11 international terrorism, or

12 (2) otherwise supports international terrorism.

13 (b) The President may waive the application of sub-
14 section (a) to a country if the President determines that
15 national security or humanitarian reasons justify such
16 waiver. The President shall publish each waiver in the
17 Federal Register and, at least fifteen days before the waiv-
18 er takes effect, shall notify the Committees on Appropria-
19 tions of the waiver (including the justification for the waiv-
20 er) in accordance with the regular notification procedures
21 of the Committees on Appropriations.

22 COMMERCIAL LEASING OF DEFENSE ARTICLES

23 SEC. 530. Notwithstanding any other provision of
24 law, and subject to the regular notification requirements
25 of the Committees on Appropriations, the authority of sec-
26 tion 23(a) of the Arms Export Control Act may be used

1 to provide financing to Israel and Egypt and NATO and
2 major non-NATO allies for the procurement by leasing
3 (including leasing with an option to purchase) of defense
4 articles from United States commercial suppliers, not in-
5 cluding Major Defense Equipment (other than helicopters
6 and other types of aircraft having possible civilian applica-
7 tion), if the President determines that there are compel-
8 ling foreign policy or national security reasons for those
9 defense articles being provided by commercial lease rather
10 than by government-to-government sale under such Act.

11 COMPETITIVE INSURANCE

12 SEC. 531. All Agency for International Development
13 contracts and solicitations, and subcontracts entered into
14 under such contracts, shall include a clause requiring that
15 United States marine insurance companies have a fair op-
16 portunity to bid for marine insurance when such insurance
17 is necessary or appropriate.

18 STINGERS IN THE PERSIAN GULF REGION

19 SEC. 532. Except as provided in section 581 of the
20 Foreign Operations, Export Financing, and Related Pro-
21 grams Appropriations Act, 1990, the United States may
22 not sell or otherwise make available any Stingers to any
23 country bordering the Persian Gulf under the Arms Ex-
24 port Control Act or chapter 2 of part II of the Foreign
25 Assistance Act of 1961.

1 PROHIBITION ON LEVERAGING AND DIVERSION OF
2 UNITED STATES ASSISTANCE

3 SEC. 533. (a) None of the funds appropriated by this
4 Act may be provided to any foreign government (including
5 any instrumentality or agency thereof), foreign person, or
6 United States person in exchange for that foreign govern-
7 ment or person undertaking any action which is, if carried
8 out by the United States Government, a United States of-
9 ficial or employee, expressly prohibited by a provision of
10 United States law.

11 (b) For the purposes of this section the term “funds
12 appropriated by this Act” includes only (1) assistance of
13 any kind under the Foreign Assistance Act of 1961; and
14 (2) credits, and guaranties under the Arms Export Con-
15 trol Act.

16 (c) Nothing in this section shall be construed to
17 limit—

18 (1) the ability of the President, the Vice Presi-
19 dent, or any official or employee of the United
20 States to make statements or otherwise express their
21 views to any party on any subject;

22 (2) the ability of an official or employee of the
23 United States to express the policies of the Presi-
24 dent; or

1 (3) the ability of an official or employee of the
2 United States to communicate with any foreign
3 country government, group or individual, either di-
4 rectly or through a third party, with respect to the
5 prohibitions of this section including the reasons for
6 such prohibitions, and the actions, terms, or condi-
7 tions which might lead to the removal of the prohibi-
8 tions of this section.

9 DEBT-FOR-DEVELOPMENT

10 SEC. 534. In order to enhance the continued partici-
11 pation of nongovernmental organizations in economic as-
12 sistance activities under the Foreign Assistance Act of
13 1961, including endowments, debt-for-development and
14 debt-for-nature exchanges, a nongovernmental organiza-
15 tion which is a grantee or contractor of the Agency for
16 International Development may place in interest bearing
17 accounts funds made available under this Act or prior Acts
18 or local currencies which accrue to that organization as
19 a result of economic assistance provided under the heading
20 “Agency for International Development” and any interest
21 earned on such investment may be for the purpose for
22 which the assistance was provided to that organization.

23 LOCATION OF STOCKPILES

24 SEC. 535. Section 514(b)(2) of the Foreign Assist-
25 ance Act of 1961 is amended by striking out
26 “\$200,000,000 for stockpiles in Israel for fiscal year

1 1994” and inserting in lieu thereof “a total of
2 \$200,000,000 for stockpiles in Israel for fiscal years 1994
3 and 1995, up to \$40,000,000 may be made available for
4 stockpiles in the Republic of Korea, and up to
5 \$10,000,000 may be made available for stockpiles in Thai-
6 land for fiscal year 1995”.

7 SEPARATE ACCOUNTS

8 SEC. 536. (a) SEPARATE ACCOUNTS FOR LOCAL
9 CURRENCIES.—(1) If assistance is furnished to the gov-
10 ernment of a foreign country under chapters 1 and 10 of
11 part I (including the Philippines Multilateral Assistance
12 Initiative) or chapter 4 of part II of the Foreign Assist-
13 ance Act of 1961 under agreements which result in the
14 generation of local currencies of that country, the Admin-
15 istrator of the Agency for International Development
16 shall—

17 (A) require that local currencies be deposited in
18 a separate account established by that government;

19 (B) enter into an agreement with that govern-
20 ment which sets forth—

21 (i) the amount of the local currencies to be
22 generated, and

23 (ii) the terms and conditions under which
24 the currencies so deposited may be utilized, con-
25 sistent with this section; and

1 (C) establish by agreement with that govern-
2 ment the responsibilities of the Agency for Inter-
3 national Development and that government to mon-
4 itor and account for deposits into and disbursements
5 from the separate account.

6 (2) USES OF LOCAL CURRENCIES.—As may be
7 agreed upon with the foreign government, local currencies
8 deposited in a separate account pursuant to subsection
9 (a), or an equivalent amount of local currencies, shall be
10 used only—

11 (A) to carry out chapters 1 or 10 of part I or
12 chapter 4 of part II (as the case may be), for such
13 purposes as—

14 (i) project and sector assistance activities,
15 or

16 (ii) debt and deficit financing; or

17 (B) for the administrative requirements of the
18 United States Government.

19 (3) PROGRAMMING ACCOUNTABILITY.—The Agency
20 for International Development shall take all appropriate
21 steps to ensure that the equivalent of the local currencies
22 disbursed pursuant to subsection (a)(2)(A) from the sepa-
23 rate account established pursuant to subsection (a)(1) are
24 used for the purposes agreed upon pursuant to subsection
25 (a)(2).

1 (4) TERMINATION OF ASSISTANCE PROGRAMS.—

2 Upon termination of assistance to a country under chap-
3 ters 1 or 10 of part I or chapter 4 of part II (as the case
4 may be), any unencumbered balances of funds which re-
5 main in a separate account established pursuant to sub-
6 section (a) shall be disposed of for such purposes as may
7 be agreed to by the government of that country and the
8 United States Government.

9 (5) CONFORMING AMENDMENTS.—The provisions of
10 this subsection shall supersede the tenth and eleventh pro-
11 visos contained under the heading “Sub-Saharan Africa,
12 Development Assistance” as included in the Foreign Oper-
13 ations, Export Financing, and Related Programs Appro-
14 priations Act, 1989 and sections 531(d) and 609 of the
15 Foreign Assistance Act of 1961.

16 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

17 (1) If assistance is made available to the government of
18 a foreign country, under chapters 1 or 10 of part I (includ-
19 ing the Philippines Multilateral Assistance Initiative) or
20 chapter 4 of part II of the Foreign Assistance Act of 1961,
21 as cash transfer assistance or as nonproject sector assist-
22 ance, that country shall be required to maintain such
23 funds in a separate account and not commingle them with
24 any other funds.

1 (2) APPLICABILITY OF OTHER PROVISIONS OF
2 LAW.—Such funds may be obligated and expended not-
3 withstanding provisions of law which are inconsistent with
4 the nature of this assistance including provisions which
5 are referenced in the Joint Explanatory Statement of the
6 Committee of Conference accompanying House Joint Res-
7 olution 648 (H. Report No. 98–1159).

8 (3) NOTIFICATION.—At least fifteen days prior to ob-
9 ligating any such cash transfer or nonproject sector assist-
10 ance, the President shall submit a notification through the
11 regular notification procedures of the Committees on Ap-
12 propriations, which shall include a detailed description of
13 how the funds proposed to be made available will be used,
14 with a discussion of the United States interests that will
15 be served by the assistance (including, as appropriate, a
16 description of the economic policy reforms that will be pro-
17 moted by such assistance).

18 (4) EXEMPTION.—Nonproject sector assistance funds
19 may be exempt from the requirements of subsection (b)(1)
20 only through the notification procedures of the Commit-
21 tees on Appropriations.

22 COMPENSATION FOR UNITED STATES EXECUTIVE
23 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

24 SEC. 537. (a) No funds appropriated by this Act may
25 be made as payment to any international financial institu-
26 tion while the United States Executive Director to such

1 institution is compensated by the institution at a rate
2 which, together with whatever compensation such Director
3 receives from the United States, is in excess of the rate
4 provided for an individual occupying a position at level IV
5 of the Executive Schedule under section 5315 of title 5,
6 United States Code, or while any alternate United States
7 Director to such institution is compensated by the institu-
8 tion at a rate in excess of the rate provided for an individ-
9 ual occupying a position at level V of the Executive Sched-
10 ule under section 5316 of title 5, United States Code.

11 (b) For purposes of this section, “international finan-
12 cial institutions” are: the International Bank for Recon-
13 struction and Development, the Inter-American Develop-
14 ment Bank, the Asian Development Bank, the Asian De-
15 velopment Fund, the African Development Bank, the Afri-
16 can Development Fund, the International Monetary Fund,
17 and the European Bank for Reconstruction and Develop-
18 ment.

19 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST

20 IRAQ

21 SEC. 538. (a) DENIAL OF ASSISTANCE.—None of the
22 funds appropriated or otherwise made available pursuant
23 to this Act to carry out the Foreign Assistance Act of
24 1961 (including title IV of chapter 2 of part I, relating
25 to the Overseas Private Investment Corporation) or the
26 Arms Export Control Act may be used to provide assist-

1 ance to any country that is not in compliance with the
2 United Nations Security Council sanctions against Iraq
3 unless the President determines and so certifies to the
4 Congress that—

5 (1) such assistance is in the national interest of
6 the United States;

7 (2) such assistance will directly benefit the
8 needy people in that country; or

9 (3) the assistance to be provided will be human-
10 itarian assistance for foreign nationals who have fled
11 Iraq and Kuwait.

12 (b) IMPORT SANCTIONS.—If the President considers
13 that the taking of such action would promote the effective-
14 ness of the economic sanctions of the United Nations and
15 the United States imposed with respect to Iraq, and is
16 consistent with the national interest, the President may
17 prohibit, for such a period of time as he considers appro-
18 priate, the importation into the United States of any or
19 all products of any foreign country that has not prohib-
20 ited—

21 (1) the importation of products of Iraq into its
22 customs territory, and

23 (2) the export of its products to Iraq.

24 POW/MIA MILITARY DRAWDOWN

25 SEC. 539. (a) Notwithstanding any other provision
26 of law, the President may direct the drawdown, without

1 reimbursement by the recipient, of defense articles from
2 the stocks of the Department of Defense, defense services
3 of the Department of Defense, and military education and
4 training, of an aggregate value not to exceed \$15,000,000
5 in fiscal year 1995, as may be necessary to carry out sub-
6 section (b).

7 (b) Such defense articles, services and training may
8 be provided to Cambodia and Laos, under subsection (a)
9 as the President determines are necessary to support ef-
10 forts to locate and repatriate members of the United
11 States Armed Forces and civilians employed directly or in-
12 directly by the United States Government who remain un-
13 accounted for from the Vietnam War, and to ensure the
14 safety of United States Government personnel engaged in
15 such cooperative efforts and to support United States De-
16 partment of Defense-sponsored humanitarian projects as-
17 sociated with the POW/MIA efforts. Any aircraft shall be
18 provided under this section only to Laos and only on a
19 lease or loan basis, but may be provided at no cost not-
20 withstanding section 61 of the Arms Export Control Act
21 and may be maintained with defense articles, services and
22 training provided under this section.

23 (c) The President shall, within sixty days of the end
24 of any fiscal year in which the authority of subsection (a)
25 is exercised, submit a report to the Congress which identi-

1 fies the articles, services, and training drawn down under
2 this section.

3 (d) There are authorized to be appropriated to the
4 President such sums as may be necessary to reimburse
5 the applicable appropriation, fund, or account for defense
6 articles, defense services, and military education and
7 training provided under this section.

8 MEDITERRANEAN EXCESS DEFENSE ARTICLES

9 SEC. 540. During fiscal year 1995, the provisions of
10 section 573(e) of the Foreign Operations, Export Financ-
11 ing, and Related Programs Appropriations Act, 1990,
12 shall be applicable, for the period specified therein, to ex-
13 cess defense articles made available under sections 516
14 and 519 of the Foreign Assistance Act of 1961.

15 PRIORITY DELIVERY OF EQUIPMENT

16 SEC. 541. Notwithstanding any other provision of
17 law, the delivery of excess defense articles that are to be
18 transferred on a grant basis under section 516 of the For-
19 eign Assistance Act to NATO allies and to major non-
20 NATO allies on the southern and southeastern flank of
21 NATO shall be given priority to the maximum extent fea-
22 sible over the delivery of such excess defense articles to
23 other countries.

24 ISRAEL DRAWDOWN

25 SEC. 542. Section 599B(a) of the Foreign Oper-
26 ations, Export Financing, and Related Programs Appro-

1 priations Act, 1991 (as amended by Public Law 102–145,
2 as amended, and Public Law 102–391), is further amend-
3 ed—

4 (a) by striking out “fiscal year 1994” and in-
5 serting in lieu thereof “fiscal year 1995”;

6 (b) by striking out “Appropriations Act, 1994”
7 and inserting in lieu thereof “Appropriations Act,
8 1995”; and

9 (c) by striking out “\$700,000,000” and insert-
10 ing in lieu thereof “\$775,000,000”.

11 CASH FLOW FINANCING

12 SEC. 543. For each country that has been approved
13 for cash flow financing (as defined in section 25(d) of the
14 Arms Export Control Act, as added by section 112(b) of
15 Public Law 99–83) under the Foreign Military Financing
16 Program, any Letter of Offer and Acceptance or other
17 purchase agreement, or any amendment thereto, for a pro-
18 curement in excess of \$100,000,000 that is to be financed
19 in whole or in part with funds made available under this
20 Act shall be submitted through the regular notification
21 procedures to the Committees on Appropriations.

22 AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMER-
23 ICAN FOUNDATION AND THE AFRICAN DEVELOP-
24 MENT FOUNDATION

25 SEC. 544. Unless expressly provided to the contrary,
26 provisions of this or any other Act, including provisions

1 contained in prior Acts authorizing or making appropria-
2 tions for foreign operations, export financing, and related
3 programs, shall not be construed to prohibit activities au-
4 thorized by or conducted under the Peace Corps Act, the
5 Inter-American Foundation Act, or the African Develop-
6 ment Foundation Act. The appropriate agency shall
7 promptly report to the Committees on Appropriations
8 whenever it is conducting activities or is proposing to con-
9 duct activities in a country for which assistance is prohib-
10 ited.

11 IMPACT ON JOBS IN THE UNITED STATES

12 SEC. 545. None of the funds appropriated by this Act
13 may be obligated or expended to provide—

14 (a) any financial incentive to a business enter-
15 prise currently located in the United States for the
16 purpose of inducing such an enterprise to relocate
17 outside the United States if such incentive or in-
18 ducement is likely to reduce the number of employ-
19 ees of such business enterprise in the United States
20 because United States production is being replaced
21 by such enterprise outside the United States;

22 (b) assistance for the purpose of establishing or
23 developing in a foreign country any export process-
24 ing zone or designated area in which the tax, tariff,
25 labor, environment, and safety laws of that country
26 do not apply, in part or in whole, to activities car-

1 ried out within that zone or area, unless the Presi-
2 dent determines and certifies that such assistance is
3 not likely to cause a loss of jobs within the United
4 States; or

5 (c) assistance for any project or activity that
6 contributes to the violation of internationally recog-
7 nized workers rights, as defined in section 502(a)(4)
8 of the Trade Act of 1974, of workers in the recipient
9 country, including any designated zone or area in
10 that country: *Provided*, That in recognition that the
11 application of this subsection should be commensu-
12 rate with the level of development of the recipient
13 country and sector, the provisions of this subsection
14 shall not preclude assistance for the informal sector
15 in such country, micro and small-scale enterprise,
16 and smallholder agriculture.

17 AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

18 SEC. 546. (a) Congress finds as follows:

19 (1) The United Nations has imposed an embar-
20 go on the transfer of arms to any country on the
21 territory of the former Yugoslavia.

22 (2) The federated states of Serbia and
23 Montenegro have a large supply of military equip-
24 ment and ammunition and the Serbian forces fight-
25 ing the government of Bosnia-Herzegovina have

1 more than one thousand battle tanks, armored vehi-
2 cles, and artillery pieces.

3 (3) Because the United Nations arms embargo
4 is serving to sustain the military advantage of the
5 aggressor, the United Nations should exempt the
6 government of Bosnia-Herzegovina from its embar-
7 go.

8 (b) Pursuant to a lifting of the United Nations arms
9 embargo, or to a unilateral lifting of the arms embargo
10 by the President of the United States, against Bosnia-
11 Herzegovina, the President is authorized to transfer to the
12 government of that nation, without reimbursement, de-
13 fense articles from the stocks of the Department of De-
14 fense of an aggregate value not to exceed \$50,000,000 in
15 fiscal year 1995: *Provided*, That the President certifies in
16 a timely fashion to the Congress that—

17 (1) the transfer of such articles would assist
18 that nation in self-defense and thereby promote the
19 security and stability of the region; and

20 (2) United States allies are prepared to join in
21 such a military assistance effort.

22 (c) Within 60 days of any transfer under the author-
23 ity provided in subsection (b), and every 60 days there-
24 after, the President shall report in writing to the Speaker
25 of the House of Representatives and the President pro

1 tempore of the Senate concerning the articles transferred
2 and the disposition thereof.

3 (d) There are authorized to be appropriated to the
4 President such sums as may be necessary to reimburse
5 the applicable appropriation, fund, or account for defense
6 articles provided under this section.

7 (e) If the President determines that doing so will con-
8 tribute to a just resolution of charges regarding genocide
9 or other violations of international law in the former Yugo-
10 slavia, the authority of section 552(c) of the Foreign As-
11 sistance Act of 1961, as amended, may be used to provide
12 up to \$25,000,000 of commodities and services to the
13 United Nations War Crimes Tribunal, without regard to
14 the ceiling limitation contained in paragraph (2) thereof:
15 *Provided*, That the determination required under this sub-
16 section shall be in lieu of any determinations otherwise
17 required under section 552(c).

18 SPECIAL AUTHORITIES

19 SEC. 547. (a) Funds appropriated in title II of this
20 Act that are made available for Haiti, Afghanistan, Leb-
21 anon, and Cambodia, and for victims of war, displaced
22 children, displaced Burmese, humanitarian assistance for
23 Romania, and humanitarian assistance for the peoples of
24 Bosnia-Herzegovina, Croatia, and Kosova, may be made
25 available notwithstanding any other provision of law: *Pro-*
26 *vided*, That any such funds that are made available for

1 Cambodia shall be subject to the provisions of section
2 531(e) of the Foreign Assistance Act of 1961 and section
3 906 of the International Security and Development Co-
4 operation Act of 1985: *Provided further*, That the Presi-
5 dent shall terminate assistance to any Cambodian organi-
6 zation that he determines is cooperating, tactically or stra-
7 tegically, with the Khmer Rouge in their military oper-
8 ations.

9 (b) Funds appropriated by this Act to carry out the
10 provisions of sections 103 through 106 of the Foreign As-
11 sistance Act of 1961 may be used, notwithstanding any
12 other provision of law, for the purpose of supporting tropi-
13 cal forestry and energy programs aimed at reducing emis-
14 sions of greenhouse gases with regard to the key countries
15 in which deforestation and energy policy would make a
16 significant contribution to global warming: *Provided*, That
17 such assistance shall be subject to sections 116, 502B, and
18 620A of the Foreign Assistance Act of 1961.

19 (c) During fiscal year 1995, the President may use
20 up to \$50,000,000 under the authority of section 451 of
21 the Foreign Assistance Act of 1961, notwithstanding the
22 funding ceiling contained in subsection (a) of that section.

23 (d) The Agency for International Development may
24 employ personal services contractors, notwithstanding any

1 other provision of law, for the purpose of administering
2 programs for the West Bank and Gaza.

3 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
4 OF ISRAEL

5 SEC. 548. (a) FINDINGS.—The Congress finds that—

6 (1) since 1948 the Arab countries have main-
7 tained a primary boycott against Israel, refusing to
8 do business with Israel;

9 (2) since the early 1950s the Arab League has
10 maintained a secondary and tertiary boycott against
11 American and other companies that have commercial
12 ties with Israel;

13 (3) the boycott seeks to coerce American firms
14 by blacklisting those that do business with Israel
15 and harm America's competitiveness;

16 (4) the United States has a longstanding policy
17 opposing the Arab League boycott and United
18 States law prohibits American firms from providing
19 information to Arab countries to demonstrate com-
20 pliance with the boycott;

21 (5) with real progress being made in the Middle
22 East peace process and the serious confidence-build-
23 ing measures taken by the State of Israel an end to
24 the Arab boycott of Israel and of American compa-
25 nies that have commercial ties with Israel is long

1 overdue and would represent a significant con-
2 fidence-building measure; and

3 (6) in the interest of Middle East peace and
4 free commerce, the President must take more con-
5 crete steps to press the Arab states to end their
6 practice of blacklisting and boycotting American
7 companies that have trade ties with Israel.

8 (b) POLICY.—It is the sense of the Congress that—

9 (1) the Arab League countries should imme-
10 diately and publicly renounce the primary boycott of
11 Israel and the secondary and tertiary boycott of
12 American firms that have commercial ties with Is-
13 rael and

14 (2) the President should—

15 (A) take more concrete steps to encourage
16 vigorously Arab League countries to renounce
17 publicly the primary boycotts of Israel and the
18 secondary and tertiary boycotts of American
19 firms that have commercial relations with Israel
20 as a confidence-building measure;

21 (B) take into consideration the participa-
22 tion of any recipient country in the primary
23 boycott of Israel and the secondary and tertiary
24 boycotts of American firms that have commer-

1 cial relations with Israel when determining
2 whether to sell weapons to said country;

3 (C) report to Congress on the specific
4 steps being taken by the President to bring
5 about a public renunciation of the Arab primary
6 boycott of Israel and the secondary and tertiary
7 boycotts of American firms that have commer-
8 cial relations with Israel; and

9 (D) encourage the allies and trading part-
10 ners of the United States to enact laws prohib-
11 iting businesses from complying with the boy-
12 cott and penalizing businesses that do comply.

13 ANTI-NARCOTICS ACTIVITIES

14 SEC. 549. (a) Of the funds appropriated by this Act
15 under the heading “Economic Support Fund”, assistance
16 may be provided to strengthen the administration of jus-
17 tice in countries in Latin America and the Caribbean in
18 accordance with the provisions of section 534 of the For-
19 eign Assistance Act of 1961, except that programs to en-
20 hance protection of participants in judicial cases may be
21 conducted notwithstanding section 660 of that Act.

22 (b) Funds made available pursuant to this section
23 may be made available notwithstanding the third sentence
24 of section 534(e) of the Foreign Assistance Act of 1961.
25 Funds made available pursuant to subsection (a)(1) for
26 Bolivia, Colombia and Peru and subsection (a)(2) may be

1 made available notwithstanding section 534(c) and the
2 second sentence of section 534(e) of the Foreign Assist-
3 ance Act of 1961.

4 ELIGIBILITY FOR ASSISTANCE

5 SEC. 550. (a) ASSISTANCE THROUGH NONGOVERN-
6 MENTAL ORGANIZATIONS.—Restrictions contained in this
7 or any other Act with respect to assistance for a country
8 shall not be construed to restrict assistance in support of
9 programs of nongovernmental organizations from funds
10 appropriated by this Act to carry out the provisions of
11 chapters 1 and 10 of part I of the Foreign Assistance Act
12 of 1961: *Provided*, That the President shall take into con-
13 sideration, in any case in which a restriction on assistance
14 would be applicable but for this subsection, whether assist-
15 ance in support of programs of nongovernmental organiza-
16 tions is in the national interest of the United States: *Pro-*
17 *vided further*, That before using the authority of this sub-
18 section to furnish assistance in support of programs of
19 nongovernmental organizations, the President shall notify
20 the Committees on Appropriations under the regular noti-
21 fication procedures of those committees, including a de-
22 scription of the program to be assisted, the assistance to
23 be provided, and the reasons for furnishing such assist-
24 ance: *Provided further*, That nothing in this subsection
25 shall be construed to alter any existing statutory prohibi-

1 tions against abortion or involuntary sterilizations con-
2 tained in this or any other Act.

3 (b) PUBLIC LAW 480.—During fiscal year 1995, re-
4 strictions contained in this or any other Act with respect
5 to assistance for a country shall not be construed to re-
6 strict assistance under titles I and II of the Agricultural
7 Trade Development and Assistance Act of 1954: *Provided*,
8 That none of the funds appropriated to carry out title I
9 of such Act and made available pursuant to this subsection
10 may be obligated or expended except as provided through
11 the regular notification procedures of the Committees on
12 Appropriations.

13 (c) EXCEPTION.—This section shall not apply—

14 (1) with respect to section 529 of this Act or
15 any comparable provision of law prohibiting assist-
16 ance to countries that support international terror-
17 ism; or

18 (2) with respect to section 116 of the Foreign
19 Assistance Act of 1961 or any comparable provision
20 of law prohibiting assistance to countries that violate
21 internationally recognized human rights.

22 EARMARKS

23 SEC. 551. (a) Funds appropriated by this Act which
24 are earmarked may be reprogrammed for other programs
25 within the same account notwithstanding the earmark if
26 compliance with the earmark is made impossible by oper-

1 ation of any provision of this or any other Act or, with
2 respect to a country with which the United States has an
3 agreement providing the United States with base rights
4 or base access in that country, if the President determines
5 that the recipient for which funds are earmarked has sig-
6 nificantly reduced its military or economic cooperation
7 with the United States since enactment of the Foreign Op-
8 erations, Export Financing, and Related Programs Appro-
9 priations Act, 1991; however, before exercising the author-
10 ity of this subsection with regard to a base rights or base
11 access country which has significantly reduced its military
12 or economic cooperation with the United States, the Presi-
13 dent shall consult with, and shall provide a written policy
14 justification to the Committees on Appropriations: *Pro-*
15 *vided*, That any such reprogramming shall be subject to
16 the regular notification procedures of the Committees on
17 Appropriations: *Provided further*, That assistance that is
18 reprogrammed pursuant to this subsection shall be made
19 available under the same terms and conditions as origi-
20 nally provided.

21 (b) In addition to the authority contained in sub-
22 section (a), the original period of availability of funds ap-
23 propriated by this Act and administered by the Agency
24 for International Development that are earmarked for par-
25 ticular programs or activities by this or any other Act shall

1 be extended for an additional fiscal year if the Adminis-
2 trator of such agency determines and reports promptly to
3 the Committees on Appropriations that the termination of
4 assistance to a country or a significant change in cir-
5 cumstances makes it unlikely that such earmarked funds
6 can be obligated during the original period of availability:
7 *Provided*, That such earmarked funds that are continued
8 available for an additional fiscal year shall be obligated
9 only for the purpose of such earmark.

10 CEILINGS AND EARMARKS

11 SEC. 552. Ceilings and earmarks contained in this
12 Act shall not be applicable to funds or authorities appro-
13 priated or otherwise made available by any subsequent Act
14 unless such Act specifically so directs.

15 EXCESS DEFENSE ARTICLES

16 SEC. 553. The authority of section 519 of the Foreign
17 Assistance Act of 1961, as amended, may be used in fiscal
18 year 1995 to provide nonlethal excess defense articles to
19 countries for which United States foreign assistance has
20 been requested and for which receipt of such articles was
21 separately justified for the fiscal year, without regard to
22 the restrictions in subsection (a) of section 519.

23 PROHIBITION ON PUBLICITY OR PROPAGANDA

24 SEC. 554. No part of any appropriation contained in
25 this Act shall be used for publicity or propaganda purposes

1 within the United States not authorized before the date
2 of enactment of this Act by the Congress.

3 DISADVANTAGED ENTERPRISES

4 SEC. 555. (a) Except to the extent that the Adminis-
5 trator of the Agency for International Development deter-
6 mines otherwise, not less than 10 percent of the aggregate
7 amount made available for the current fiscal year for the
8 “Development Assistance Fund”, “Population, Develop-
9 ment Assistance”, and the “Development Fund for Afri-
10 ca” shall be made available only for activities of United
11 States organizations and individuals that are—

12 (1) business concerns owned and controlled by
13 socially and economically disadvantaged individuals,

14 (2) historically black colleges and universities,

15 (3) colleges and universities having a student
16 body in which more than 40 per centum of the stu-
17 dents are Hispanic American, and

18 (4) private voluntary organizations which are
19 controlled by individuals who are socially and eco-
20 nomically disadvantaged.

21 (b)(1) In addition to other actions taken to carry out
22 this section, the actions described in paragraphs (2)
23 through (5) shall be taken with respect to development
24 assistance and assistance for sub-Saharan Africa for the
25 current fiscal year.

1 (2) Notwithstanding any other provision of law, in
2 order to achieve the goals of this section, the Adminis-
3 trator—

4 (A) to the maximum extent practicable, shall
5 utilize the authority of section 8(a) of the Small
6 Business Act (15 U.S.C. 637(a));

7 (B) to the maximum extent practicable, shall
8 enter into contracts with small business concerns
9 owned and controlled by socially and economically
10 disadvantaged individuals, and organizations con-
11 tained in paragraphs (2) through (4) of subsection
12 (a)—

13 (i) using less than full and open competi-
14 tive procedures under such terms and condi-
15 tions as the Administrator deems appropriate,
16 and

17 (ii) using an administrative system for jus-
18 tifications and approvals that, in the Adminis-
19 trator's discretion, may best achieve the pur-
20 pose of this section; and

21 (C) shall issue regulations to require that any
22 contract in excess of \$500,000 contain a provision
23 requiring that no less than 10 per centum of the dol-
24 lar value of the contract be subcontracted to entities
25 described in subsection (a), except—

1 (i) to the extent the Administrator deter-
2 mines otherwise on a case-by-case or category-
3 of-contract basis; and

4 (ii) this subparagraph does not apply to
5 any prime contractor that is an entity described
6 in subsection (a).

7 (3) Each person with contracting authority who is at-
8 tached to the Agency's headquarters in Washington, as
9 well as all Agency missions and regional offices, shall no-
10 tify the Agency's Office of Small and Disadvantaged Busi-
11 ness Utilization at least seven business days before adver-
12 tising a contract in excess of \$100,000, except to the ex-
13 tent that the Administrator determines otherwise on a
14 case-by-case or category-of-contract basis.

15 (4) The Administrator shall include, as part of the
16 performance evaluation of any mission director of the
17 agency, the mission director's efforts to carry out this sec-
18 tion.

19 (5) The Administrator shall submit to the Congress
20 annual reports on the implementation of this section. Each
21 such report shall specify the number and dollar value or
22 amount (as the case may be) of prime contracts, sub-
23 contracts, grants, and cooperative agreements awarded to
24 entities described in subsection (a) during the preceding
25 fiscal year.

1 (c) As used in this section, the term “socially and
2 economically disadvantaged individuals” has the same
3 meaning that term is given for purposes of section 8(d)
4 of the Small Business Act, except that the term includes
5 women.

6 USE OF AMERICAN RESOURCES

7 SEC. 556. To the maximum extent possible, assist-
8 ance provided under this Act should make full use of
9 American resources, including commodities, products, and
10 services.

11 LIMITATIONS ON ASSISTANCE FOR NICARAGUA

12 Sec. 557. (a) Funds appropriated by this Act under
13 the heading “Economic Support Fund” may only be made
14 available to the Government of Nicaragua upon the notifi-
15 cation, in writing, by the Secretary of State to the appro-
16 priate committees that he has determined that significant
17 and tangible progress is being made by the Government
18 of Nicaragua toward—

19 (1) the prosecution of any individual identified
20 as part of a terrorist/kidnapping ring by the inves-
21 tigation of issues raised by the discovery, after the
22 May 23 explosion in Managua, of weapons caches,
23 false passports, identity papers and other docu-
24 ments, suggesting the existence of such a ring, in-
25 cluding all government officials (including any mem-
26 bers of the armed forces or security forces);

1 (2) the resolution of expropriation claims and
2 the effective compensation of legitimate claims;

3 (3) the timely implementation of recommenda-
4 tions made by the Tripartite Commission as it un-
5 dertakes to review and identify those responsible for
6 gross human rights violations, including the expedi-
7 tious prosecution of individuals identified by the
8 commission in connection with such violations;

9 (4) the enactment into law of legislation to re-
10 form the Nicaraguan military and security forces in
11 order to guarantee civilian control over the armed
12 forces;

13 (5) the establishment of civilian control over the
14 police, and the independence of the police from the
15 military; and

16 (6) the effective reform of the Nicaraguan judi-
17 cial system.

18 (b) The notification pursuant to subsection (a) above
19 shall include a detailed listing of the tangible evidence that
20 forms the basis for such determination.

21 (c) For purposes of this section, the term “appro-
22 priate committees” means the Committees on Foreign Re-
23 lations and Appropriations of the Senate and Committees
24 on Foreign Affairs and Appropriations of the House of
25 Representatives.

SEC. 558. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

8 CONSULTING SERVICES

9 SEC. 559. The expenditure of any appropriation
10 under this Act for any consulting service through procure-
11 ment contract, pursuant to section 3109 of title 5, United
12 States Code, shall be limited to those contracts where such
13 expenditures are a matter of public record and available
14 for public inspection, except where otherwise provided
15 under existing law, or under existing Executive order pur-
16 suant to existing law.

17 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

18 SEC. 560. None of the funds appropriated or made
19 available pursuant to this Act shall be available to a pri-
20 vate voluntary organization which fails to provide upon
21 timely request any document, file, or record necessary to
22 the auditing requirements of the Agency for International
23 Development, nor shall any of the funds appropriated by
24 this Act be made available to any private voluntary organi-
25 zation which is not registered with the Agency for Inter-
26 national Development.

1 SPECIAL DEBT RELIEF FOR THE POOREST

2 SEC. 561. (1) AUTHORITY TO REDUCE DEBT.—The
3 President may reduce amounts owed to the United States
4 (or any agency of the United States) by an eligible country
5 as a result of—

6 (A) guarantees issued under sections 221 and
7 222 of the Foreign Assistance Act of 1961; or

8 (B) credits extended or guarantees issued under
9 the Arms Export Control Act.

10 (2) LIMITATIONS.—

11 (A) The authority provided by paragraph (1)
12 may be exercised only to implement multilateral offi-
13 cial debt relief and referendum agreements, com-
14 monly referred to as “Paris Club Agreed Minutes”.

15 (B) The authority provided by paragraph (1)
16 may be exercised only in such amounts or to such
17 extent as is provided in advance by appropriations
18 Acts.

19 (C) The authority provided by paragraph (1)
20 may be exercised only with respect to countries with
21 heavy debt burdens that are eligible to borrow from
22 the International Development Association, but not
23 from the International Bank for Reconstruction and
24 Development, commonly referred to as “IDA-only”
25 countries.

6 (B) has not repeatedly provided support for
7 acts of international terrorism;

(D) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights.

(5) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to paragraph (1) shall not be considered assistance for purposes of any provision of law limiting assistance to a country.

SEC. 562. Section 251(b)(2)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking “1994” and inserting in lieu thereof “1994 and 1995” in both places that this appears.

1 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-
2 MENTS THAT EXPORT LETHAL MILITARY EQUIP-
3 MENT TO COUNTRIES SUPPORTING INTERNATIONAL
4 TERRORISM

5 SEC. 563. (a) None of the funds appropriated or oth-
6 erwise made available by this Act may be available to any
7 foreign government which provides lethal military equip-
8 ment to a country the government of which the Secretary
9 of State has determined is a terrorist government for pur-
10 poses of section 40(d) of the Arms Export Control Act.
11 The prohibition under this section with respect to a for-
12 eign government shall terminate 12 months after that gov-
13 ernment ceases to provide such military equipment. This
14 section applies with respect to lethal military equipment
15 provided under a contract entered into after the date of
16 enactment of this Act.

17 (b) Assistance restricted by subsection (a) or any
18 other similar provision of law, may be furnished if the
19 President determines that furnishing such assistance is
20 important to the national interests of the United States.

21 (c) Whenever the waiver of subsection (b) is exer-
22 cised, the President shall submit to the appropriate con-
23 gressional committees a report with respect to the furnish-
24 ing of such assistance. Any such report shall include a de-
25 tailed explanation of the assistance to be provided, includ-

1 ing the estimated dollar amount of such assistance, and
2 an explanation of how the assistance furthers United
3 States national interests.

4 WITHHOLDING OF ASSISTANCE FOR PARKING FINES

5 OWED BY FOREIGN COUNTRIES

6 SEC. 564. (a) IN GENERAL.—Of the funds made
7 available for a foreign country under part I of the Foreign
8 Assistance Act of 1961, an amount equivalent to 110 per-
9 cent of the total unpaid fully adjudicated parking fines
10 and penalties owed to the District of Columbia by such
11 country as of the date of enactment of this Act shall be
12 withheld from obligation for such country until the Sec-
13 retary of State certifies and reports in writing to the ap-
14 propriate congressional committees that such fines and
15 penalties are fully paid to the government of the District
16 of Columbia.

17 (b) DEFINITION.—For purposes of this section, the
18 term “appropriate congressional committees” means the
19 Committee on Foreign Relations and the Committee on
20 Appropriations of the Senate and the Committee on For-
21 eign Affairs and the Committee on Appropriations of the
22 House of Representatives.

23 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE

24 WEST BANK AND GAZA

25 SEC. 565. None of the funds appropriated by this Act
26 may be obligated for assistance for the Palestine Libera-

tion Organization for the West Bank and Gaza unless the President has exercised the authority under section 583(a) of the Middle East Peace Facilitation Act of 1994 (part E of title V of Public Law 103–236) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided*, That if the President fails to make the certification under section 583(b)(2) of the Middle East Peace Facilitation Act or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President determines that it is in the national interest to do so and so reports to the Congress.

PROCUREMENT REDUCTION

SEC. 566. (a) Of the budgetary resources available to the Agency for International Development during fiscal year 1995, \$1,598,000 are permanently canceled.

(b) The Administrator of the Agency for International Development shall allocate the amount of budgetary resources canceled among the Agency's accounts available for procurement and procurement-related expenses. Amounts available for procurement and procurement-related expenses in each such account shall be reduced by the amount allocated to such account.

1 (c) For the purposes of this section, the definition
2 of “procurement” includes all stages of the process of ac-
3 quiring property or services, beginning with the process
4 of determining a need for a product or services and ending
5 with contract completion and closeout, as specified in sec-
6 tion 403(a)(2) of title 41, United States Code.

7 IMPLEMENTATION OF WAPENHANS REPORT

8 RECOMMENDATIONS

9 SEC. 567. Funds appropriated by title I of this Act
10 under the headings “Contribution to the International
11 Bank for Reconstruction and Development”, “Contribu-
12 tion to the International Development Association”, and
13 “Contribution to the International Finance Corporation”
14 shall not be available for payment to any such institution
15 unless the Secretary of the Treasury (1) determines that
16 the recommendations contained in the report entitled Re-
17 port of the Portfolio Management Task Force (commonly
18 referred to as the “Wapenhans Report”) continue to be
19 implemented, and (2) reports that determination to the
20 Committee on Appropriations and the Committee on
21 Banking, Finance and Urban Affairs of the House of Rep-
22 resentatives and the Committee on Appropriations and the
23 Committee on Foreign Relations of the Senate.

24 RESTRICTIONS ON ASSISTANCE TO RUSSIA

25 SEC. 568. (a) RESTRICTION.—None of the funds ap-
26 propriated or otherwise made available by this Act may

1 be obligated for assistance for the Government of Russia
2 after December 31, 1994, unless it has been made known
3 to the President that all armed forces of Russia and the
4 Commonwealth of Independent States have been removed
5 from all Baltic countries or that the status of those armed
6 forces have been otherwise resolved by mutual agreement
7 of the parties.

8 (b) EXEMPTION.—Subsection (a) does not apply to
9 assistance that involves the provision of student exchange
10 programs, food, clothing, medicine, or other humanitarian
11 assistance or to housing assistance for officers of the
12 armed forces of Russia or the Commonwealth of Independ-
13 ent States who are removed from the territory of Estonia,
14 Latvia, and Lithuania.

15 (c) WAIVER.—Subsection (a) does not apply if after
16 December 31, 1994, the President determines that the
17 provision of funds to the Government of Russia is in the
18 national interest.

19 ADDITIONAL LIMITATION ON FUNDS TO ENSURE IMPLE-
20 MENTATION OF WAPENHANS REPORT RECOMMENDA-
21 TIONS

22 SEC. 569. (a) LIMITATION ON AMOUNTS AVAILABLE
23 BEFORE APRIL 1, 1995.—If amounts appropriated by
24 title I become available pursuant to section 567—

25 (1) not more than \$30,000,000 shall be avail-
26 able for obligation before April 1, 1995, for “Con-

1 tribution to the International Bank for Reconstruct-
2 tion and Development” for payment for contribution
3 to the Global Environment Facility;

4 (2) not more than \$1,024,332,000 shall be
5 available for obligation before April 1, 1995, for
6 “Contribution to the International Development As-
7 sociation”; and

8 (3) not more than \$35,761,500 shall be avail-
9 able for obligation before April 1, 1995, for “Con-
10 tribution to the International Finance Corporation”.

11 (b) REQUIREMENTS FOR AVAILABILITY OF ADDI-
12 TIONAL AMOUNTS.—No amount in excess of any sum
13 specified in subsection (a) with respect to an account or
14 activity shall become available on or after April 1, 1995,
15 unless the Secretary of the Treasury—

16 (1) determines that the recommendations con-
17 tained in the report entitled Report of the Portfolio
18 Management Task Force (commonly referred to as
19 the “Wapenhans Report”) continue to be imple-
20 mented as of such date;

21 (2) reports such determination to the Commit-
22 tee on Appropriations and the Committee on Bank-
23 ing, Finance and Urban Affairs of the House of
24 Representatives and the Committee on Appropria-

3 (3) complies with the regular notification proce-
4 dures of the Committee on Appropriations.

5 PURCHASE OF AMERICAN-MADE EQUIPMENT AND
6 PRODUCTS

7 SEC. 570. (a) SENSE OF CONGRESS.—It is the sense
8 of the Congress that, to the greatest extent practicable,
9 all equipment and products purchased with funds made
10 available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency shall provide, to the greatest extent practicable, to such entity a notice describing the statement made in subsection (a) by the Congress.

17 This Act may be cited as the “Foreign Operations,
18 Export Financing, and Related Programs Appropriations
19 Act, 1995”.

Passed the House of Representatives May 25, 1994.

Attest: DONNALD K. ANDERSON,
Clerk.

HR 4426 RDS—2

HR 4426 RDS—3

HR 4426 RDS—4

HR 4426 RDS—5

HR 4426 RDS——6

HR 4426 RDS——7